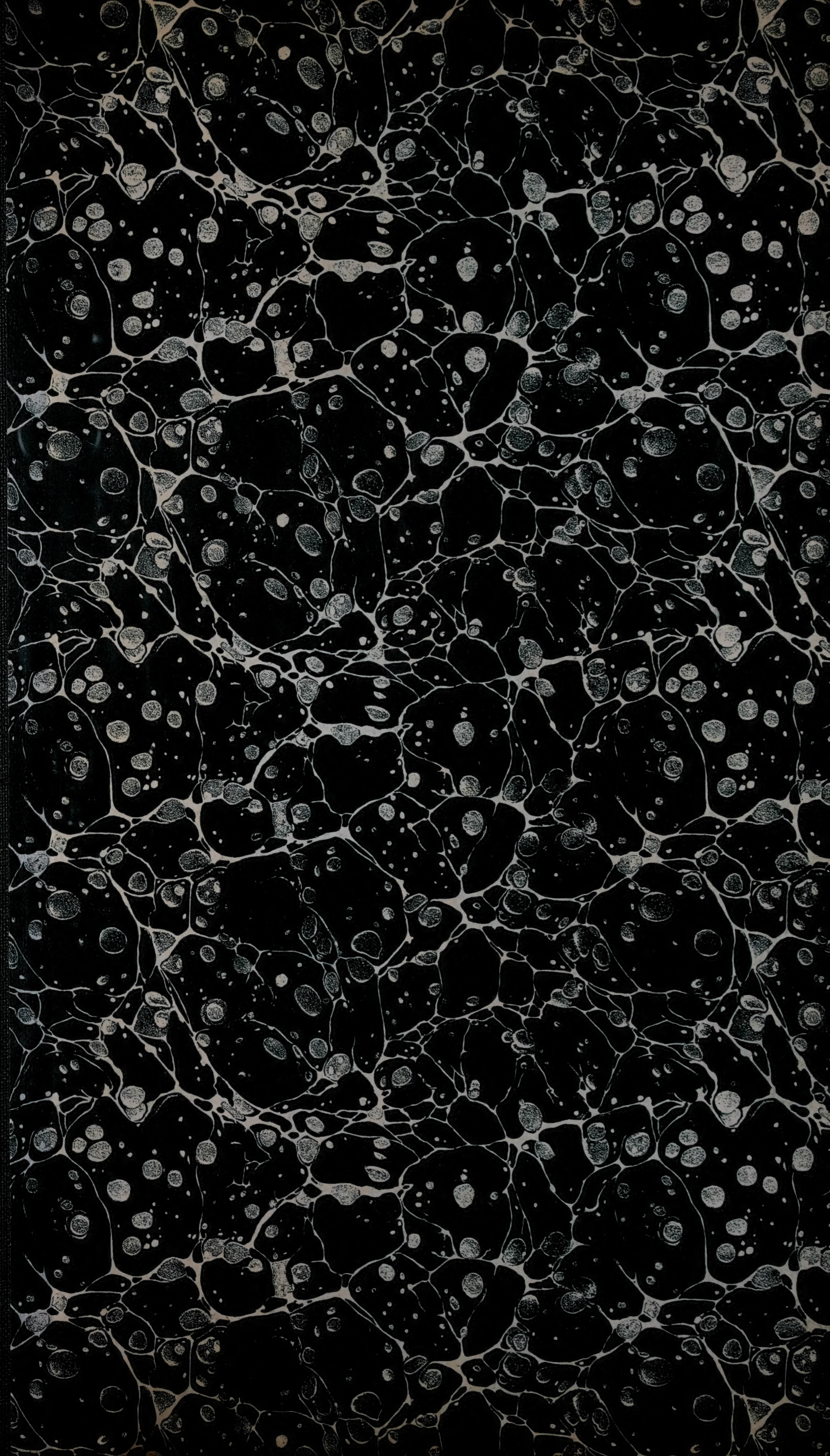
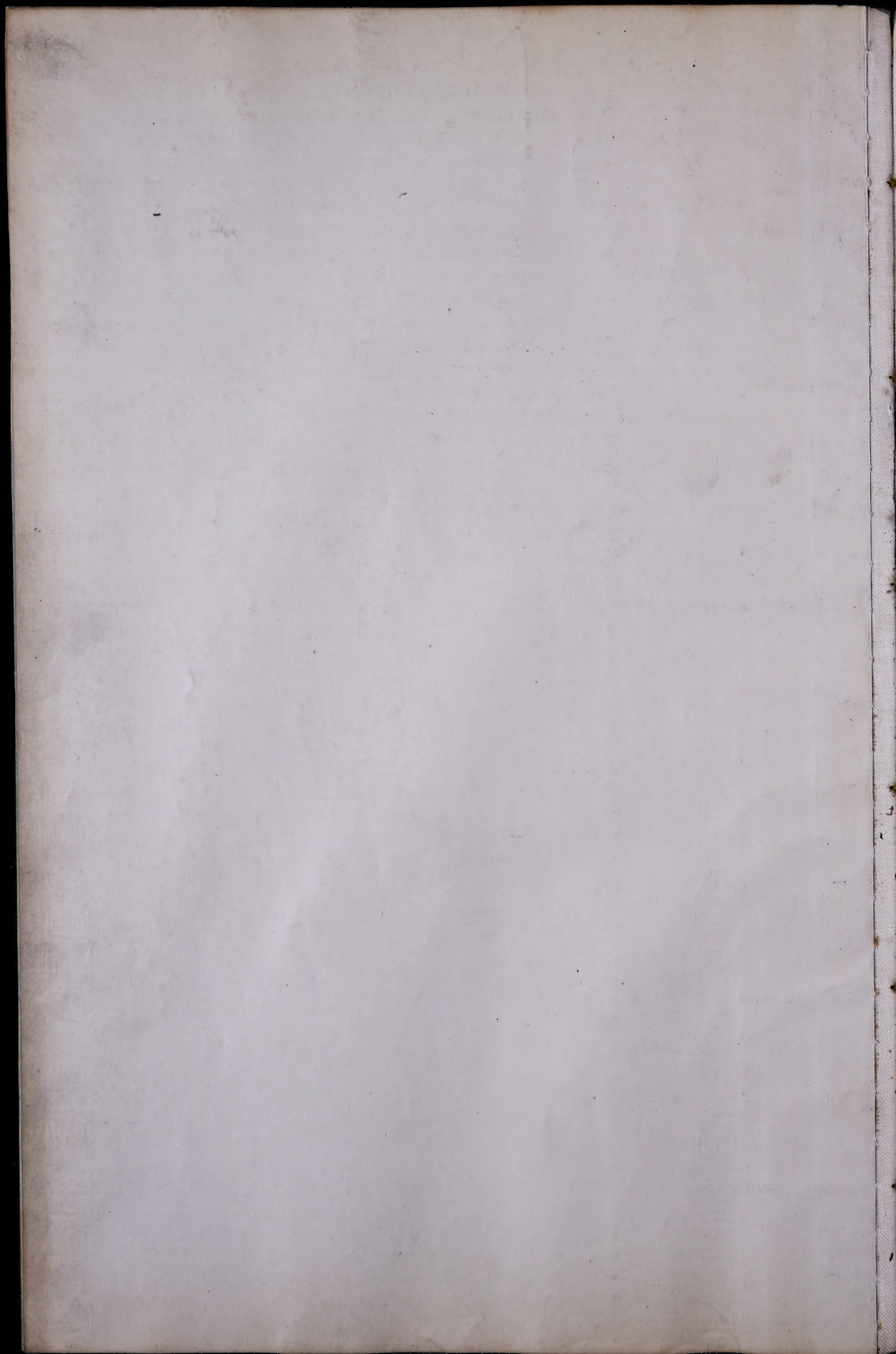


FORT WAYNE, IND.

WE FILE A SAMPLE LEAF
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General Ordinance 1066

An ordinance amending Section 1 of general ordinance No. 899 entitled, "An ordinance amending chapter XXXII of general ordinance No. 390 known as the Building code passed and amended May 25, 1919, as amended by general ordinance No. 626 passed November 11, 1913 and as amended by general ordinance No. 664 passed August 11, 1914," passed on its third reading by the Common Council of the City of Ft. Wayne on the 12th day of August, 1919, and providing for abolishing the office of Electrical Inspector and the appointment of an Assistant Building Inspector

Be it Ordained by the Common Council of the City of Ft. Wayne, that Section of the amended ordinance be ordained to read as follows:

Section 1. "That the Board of Public Works of the City of Ft. Wayne appoint an Assistant Building Inspector at its first regular meeting after the final passage of this ordinance, and who shall be a properly qualified electrician. Prior to entering upon his duties he shall take the oath required by law and give bond in the sum of \$1000.00 with surety to be approved by the controller, conditioned for the faithful performance of his duties. He may be removed at any time by the Board of public works and at all times under direct control of this Board. The duties of said Assistant Building Inspector shall be to inspect all electrical wires and apparatus installed in any building or structure within the corporate limits of said City and to issue, under direction of the Building Inspector certificates of approval on same. He shall receive an annual salary of Eighteen hundred (\$1800.00) dollars payable monthly."

Section 2. "That the position of Electrical Inspector created by section one (1) of the above entitled ordinance be and the same is hereby abolished upon the final passage of this ordinance."

Section 3. "That this ordinance be in full force and take effect on its passage, and approval by the Mayor."

H. B. Kraffmiller

We hereby certify, that the Common Council of the City of Ft. Wayne, Indiana, at a regular meeting, held on the 24th day of January, 1922, by a majority vote of ~~all~~ the members elect, did pass the ordinance hereto attached, and known as General Ordinance No. 1066

Frank A. Schramm

President

Ottow Koenig

City Clerk

Presented to the Mayor for approval on the 27th day of Jan. 1922

Ottow Koenig

City Clerk

Approved this 27th day of Jan. 1922.

Wm. J. Hoeny
Mayor

General Ordinance No. 1067.

An Ordinance authorizing the Board of Public Works to sell certain personal Property.

Be it Ordained by the Common Council of the City of Fort Wayne that the Board of Public Works be and it is thereby authorized to sell and dispose of accumulated scrap in connection with the water works department. The amount thereof to be sold not to exceed the sum of One Hundred Dollars and in view of the amount not exceeding One Hundred Dollars, that the same be sold without appraisement.

Section 2. This ordinance to be in full force and to take effect on and after its passage and approval by the Mayor.

Frank Schwartz.

Done at the Council Chamber in the City of Ft Wayne this 14th day of February 1922.

We hereby certify that the Common Council of the City of Ft. Wayne, Indiana, at a Regular meeting, held on the 14th day of February, 1922, by a majority vote of all the members elect, did pass the Ordinance herewith attached, and known as General Ordinance No. 1067.

Frank A. Schramm
President

Ottow Koenig
City Clerk.

Presented to the Mayor for approval on the 22nd day of February 1922.

Ottow Koenig
City Clerk.

Approved this 23 day of Feb. 1922.

W^m J. Hoesy
Mayor.

General Ordinance No. 1068

Providing and establishing rules and regulations for the management and protection of the Parks and public grounds of the City of Ft. Wayne, Indiana, and providing penalties for the violation thereof.

Section 1. Be it hereby ordained by the Common Council of the City of Ft. Wayne that upon passage and approval of this ordinance the following Rules and Regulations shall be and are hereby established for the management and protection of the Parks and public grounds of the City of Fort Wayne, Indiana, to wit:

1st. No person shall be allowed to carry firearms or to shoot or throw stones at or to set snares for birds, rabbits or squirrels, within the limits of any Park or within 500 feet thereof.

2nd. No person shall cut, break, or pluck flowers or in any way injure or deface the trees, shrubs, plants or turf or any of the buildings, fences, benches, structures or statuary, or place benches or throw anything into the lakes or streams or upon the ice of such lakes or streams within any park, or fasten a horse to any tree, bush or shrub.

3^d. No profane, indecent, abusive or insulting language, gambling or drunkenness shall be allowed within any park, nor shall anyone take spirituous liquors into any park, either for his own use, to give away or for sale.

4th. No person shall climb any tree or attach any swing thereto, without the consent of the Board or Park Superintendent.

5th. No person shall set up any booth, table or stand for the sale of any article whatsoever, without the consent of the Board or Park Superintendent.

6th. No person shall ride or drive within any park except on the avenues or roads, or at a rate of speed to exceed 12 miles per hour. This rule shall apply alike to Bicycles, Tricycles, Motorcycles, Automobiles, Horseback riders and Horse driven vehicles. All such machines, horseback riders and horse driven vehicles are restricted to the use of the roadways, or bridled paths for horseback riders, and must not endanger children or pedestrians by making use of footpaths.

7th. No wagon or other vehicle of burden or traffic shall pass through the Park except on such roads or avenues as shall be designated by the Board of Park Commissioners, except where necessary to carry supplies to fairs or other gatherings and to persons holding concessions.

8th. No gathering or meeting of any kind assembled through advertisement, shall be permitted in any Park without previous permission having been obtained of the Board, and no picnic of 100 persons or more

shall be held without such permission having been obtained, except in West Swinney Park where permission may be had of either the Park Superintendent or Mr. George F. Trier. Such gatherings may be confined to the spot or locality designated by the Superintendent, and parties holding such gatherings must clean up the ground that has been occupied before quitting it, except in West Swinney Park where work of this character is done by Park attendants.

4th. Reservations of the Pavilions for picnics or other gatherings may be made for particular hours or days for any year, after January 1st, by applying at the Park Board office. Parties holding such permits should have it with them when making use of the grounds. No person shall disturb any picnic in the Park, or intrude himself or herself on it without the consent of those composing it.

Section 2. Any violation of the foregoing rules shall, upon conviction of the party so offending, subject the offender to a fine of not less than five dollars, nor more than \$25.00.

Section 3. That this ordinance be in full force and effect from and after its passage and approval by the Mayor and Legal Publications.

Alvin J. Bullenman

Done at the Council Chamber in the City of Ft. Wayne, this 14th day of February 1922.

We hereby certify, that the Common Council of the City of Ft. Wayne, Indiana, at a regular meeting, held on the 14th day of February 1922, by a majority vote of all the members elect, did pass the ordinance hereto attached, and known as General Ordinance No. 1068.

Frank A. Schramm
President

Ottow Koenig
City Clerk

Presented to the Mayor for approval on the 22nd day of February 1922.

Ottow Koenig
City Clerk

Approved this 23rd day of Feb. 1922.
Wm J. Thoy
Mayor

General Ordinance No. 1069
Approving Contract with Central Foundry Co.

Whereas, on the — day of February, 1922, the City of Fort Wayne by and through its Board of Public Works, entered into a contract with the Central Foundry Company, for the furnishing to said city in its Water Works Department, of a certain quantity of iron pipe, which contract is in the following words:—

This agreement made this — day of February, 1922, by and between the City of Ft. Wayne, by and through its Board of Public Works, party of the first part, and Central Foundry Company, a corporation, party of the second part, witness:

That in consideration of the mutual covenants herein contained it is by the parties hereto agreed:—

1. That the party of the second part will furnish and deliver to the party of the first, f. o. b. cars Fort Wayne, Indiana, at and for the prices mentioned, the following cast iron pipe:

Approximately 2734 Feet 12 inch Number 100 Universal Cast Iron Pipe @ \$1.72 per foot.

Approximately 4680 feet 6 inch Number 100 Universal Cast Iron Pipe @ \$.70 per foot.

All necessary fittings @ list price plus 15% (said list price to be as fixed in catalog furnished by second party with bid hereinafter mentioned).

2. All pipe to be standard 6 foot lengths, and to be 100 pounds working pressure, the same as rated by the National Board of Fire Underwriters for water mains for pressures up to 100 pounds per square inch.

All of said material to be furnished in accordance and compliance with the bid heretofore made by said second party to first party on February 20th, 1922, and in accordance with notice and specification on file in the office of the Board of Public Works, in its Water Works Department, calling for said material, excepting insofar as the same conflicts herewith, which bid and specifications are made a part of ~~this~~ the same as if copied herein.

3. Party of the second part agrees to deliver to the party of the first part within ten days from the execution of this contract a bond for the performance of this contract, with a surety company as surety thereon, and to the approval of said Board of Public Works, said bond to be in the sum of \$4097.24

4. Party of the first part agrees to pay for said material within 30 days from the date of delivery thereof, but shall be entitled to a discount of two percent for payment within 10 days from date of delivery.

In witness whereof, the parties have hereunto set their hands, and seals, the day and date hereabove written.

City of Fort Wayne by John B. Kochs

City of Fort Wayne

Gene Bersino

City Board of Works

Central Foundry Co.

By Robt W. Hunt

Its President

Section 1. Be it ordained by the Common Council of the City of Ft. Wayne that the contract heretofore on the day of February, 1922, executed by and between the City of Fort Wayne, by and through its Board of Public Works, and the Central Foundry Company, a Corporation, as fully set forth in the preamble hereto, be, and the same is, in all things, approved.

Sec. 2. That the Ordinance be in full force and take effect on and after its passage and approved by the Mayor

Alvin J. Bullman

Done at the Council Chamber in the City of Fort Wayne, this 28th day of February 1922.

We hereby certify, that the Common of the City of Fort Wayne, Indiana, at a Regular session, held on the 28th day of February, 1922, by a majority vote of all members elect, did pass the Ordinance hereto attached, and known as General Ordinance No. 1069.

Frank A. Schramm
President.

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 6th day of March, 1922.

Otto W. Koenig
City Clerk.

Approved this 6th day of March, 1922.

Wm J. Hovey
Mayor.

General Ordinance No. 1070

Whereas, on the day of February, 1922, the City of Fort Wayne, by and through its Board of Public Works, entered into a contract with the Windsor Manufacturing Company, for the furnishing to said said City in its Water Works department, of a certain quantity of lead pipe, which contract is in the following words:-

This Agreement made this day of February, 1922, by and between the City of Ft. Wayne, by and through its Board of Public Works, party of the first part, and the Windsor Manufacturing Company, a corporation, party of the second part, Witnesseth:-

That in consideration of the mutual covenants herein contained it is by the parties hereto agreed:-

1. That the party of the second part will furnish and deliver to the party of the first part, f. o. b. cars Fort Wayne, Indiana, at and for the prices mentioned, the following lead pipe:-

Approximately 6000 pounds of 5/8 inch extra strong lead pipe @ \$5.67 1/2 per hundred lbs.
Approximately 4000 pounds of lead pipe (size as ordered by City) @ \$5.67 1/2 per hundred lbs.

2. all of said material to be in accordance and compliance with the notice and specifications calling for bids on said material, and on file in the office of said Board, in its Water Works department, and in accordance with the bid of the party of the second part, which specifications and bid are ^{herby} made a part of this contract, the same as if copied herein:-

3. Party of the second part agrees to deliver to the party of the first part within ten days from the execution of this contract, ~~subord~~ for the performance of this contract, with a surety company or surety thereon, and to the approval of said Board of Public Works, said bond to be in the sum of \$283.75.

4. Party of the first part agrees to pay for said material within 30 days from the date of delivery thereof, but shall be entitled to a discount of two per cent for payment within 10 days from date of delivery.

In witness whereof, the parties hereto have hereunto set their hands and seals, the day and date here above written.

City of Fort Wayne
by John B. Kocks

City Clerk

Jene Brosius

at Board of Public Works.

Windsor Manufacturing Co.

by H. Dorshel

its Asst. Manager.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne that the contract heretofore on the day of February, 1922 executed by and between the City of Ft. Wayne, by and through

its Board of Public Works, and the Windsor Manufacturing Company, a Corporation, as fully set forth in the preamble hereto, be, and the same is in all things approved.

Sec. 2. That the Ordinance be in full force and take effect on and after its passage, and approved by the Mayor.

A.C. Pence.

Done at the Council Chamber in the City of Fort Wayne, this 28th day of February, 1922.

We hereby certify that the Common Council of the City of Fort Wayne, Indiana, at a Regular meeting held on the 28th day of February, 1922, by a majority vote of all the members elect, did pass the Ordinance hereto attached, and known as General Ordinance No. 1070.

Frank A. Schramm
President

Otto W. Koenig
City Clerk

Presented to the Mayor for approval on the 6th day of March, 1922.

Otto W. Koenig
City Clerk

Approved this 6th day of March, 1922.

Wm. J. Hovey
Mayor.

General Ordinance No. 1071

Whereas, on the day of February, 1922, the City of Fort Wayne, by and through its Board of Public Works, entered into a contract with the P. and H. Supply Company, for the furnishing to said city in its Water-Works Department, of a certain quantity of valve boxes, service boxes, corporation cocks and lead and iron curb cocks, which contract is in the following words:-

This Agreement made this 27th day of February, 1922 by and between the City of Ft. Wayne by and through its Board of Public Works, party of the first part, and the P. and H. Supply Company, a corporation, party of the second part, Witnesseth:-

X. That in consideration of the mutual covenants herein contained it is by the parties hereto agreed:-

1. That the party of the second part will furnish and deliver to the party of the first part, f. o. b. cars Fort Wayne, Indiana, at and for the firms mentioned, the following valve boxes, service boxes, corporation cocks and lead and iron curb cocks:-

18-D.D. valve boxes complete @	\$ 5.30 each.
225 # 92 E. Buffalo Pattern service boxes @	\$ 1.08 each
150-5/8" E. 101 corporation cocks with E. 145 str. flgs., genuine Mueller make @	\$.69 each.
70 3/4" E. 101 corporation cocks with E. 145 str. flgs., genuine Mueller make @	\$.91 each
160-5/8" E. 607 round way lead and iron curb cocks with soldering union on male iron pipe end, genuine Mueller make @	\$ 1.07 each
70-3/4" E. 607 round way lead and iron curb cocks with soldering union on male iron pipe end, genuine Mueller make @	\$ 1.18 each

2. All of said materials to be in accordance with the notice and specifications calling for bids on said material and on file in the office of said board in its Water Works Department, and in accordance with the bid of party of the second part, which specifications and bid are hereby made a part of this contract, the same as if copied herein.

3 Party of the ~~first~~ second part agrees to deliver to the party of the first part within 10 days from the execution of this contract a bond for the performance of this contract, with a surety company as surety thereon, and to the approval of said Board of Public Works, said bond to be in the sum of \$ 379.70.

4. The party of the first part agrees to pay for said material ~~within~~ at the prices set out within 30 days after delivery thereof.

In Witness Whereof, the parties hereto have hereunto set their hands and seals, the day and date here above written

City of Ft. Wayne

The P. & H. Supply Company
by G. J. Shier
its Vice President.

by John B. Kocks
City Engineer
John Brown
City Board of Public Works

Section: 1. Be it ordained by the Common Council of the City of Ft. Wayne that the contract heretofore on the day of February, 1922, executed by and between the City of Ft. Wayne, by and through its Board of Public Works, and the P. and H. Supply Company, a corporation, as fully set forth in the preamble hereto, be, and the same is, in all things approved.

Sec. II. That the ordinance be in full force and take effect on and after its passage, and approved by the Mayor.

Edw. O'Rourke Jr.

Done at the Council Chamber in the City of Ft. Wayne this 28th day of February, 1922.

Ottow Koenig
City Clerk

We hereby certify, that the Common Council of the City of Ft. Wayne, Indiana, at a Regular meeting, held on the 28th day of February, 1922, by a majority vote of all the members elect, did pass the ordinance hereunto attached and known as General Ordinance No. 1071.

Frank A. Schramm
President

Ottow Koenig
City Clerk

Presented to the Mayor for approval on the 6th day of March, 1922.

Ottow Koenig
City Clerk

Approved this 6th day of March, 1922.

Wm. J. Hovey
Mayor

General Ordinance No. 1072

Whereas, on the day of February, 1922, the City of Fort Wayne, by and through its Board of Public Works entered into a contract with the Ft. Wayne Oil & Supply Company, for the furnishing to said City in its Water Works Department, of a certain quantity of hydrants and valves, which contract is in the following words:-

This Agreement made this 27th day of February, 1922, by and between the City of Fort Wayne, by and through its Board of Public Works, party of the first part, and the Fort Wayne Oil and Supply Company, a corporation, party of the second part, witness:-

That in consideration of the mutual covenants herein contained, it is by the parties hereto agreed:-

1. That the party of the second part will furnish and deliver to the party of the first part, f. o. b. cars Fort Wayne, Indiana, at and for the prices mentioned, the following hydrants and valves:

5 or more genuine Ludlow improved rubber-face slide gate front proof fire hydrants 5 1/2 foot from pavement line to bottom of connecting pipe, and fitted with 6" Hub End connection for main, and fitted with two 2 1/2 and one steamer nozzle leaded and locked in place; and also fitted with Ludlow Patent locking device which prevents the loss of water in case of accidental damage to the stand pipe. Hydrants to be same size as we have been furnishing you on orders in the past two years @ \$61.50 each

16 or more 6" Genuine Ludlow Extra heavy Hub End Bronze mounted double Gate valve fitted with solid manganese bronze stem and arranged to bear extra heavy pressure on either side of gate @ \$20.50 each

2 12" Genuine Ludlow extra heavy hub end bronze mounted double gate valve fitted with solid manganese bronze stem and arranged to bear extra heavy pressure on either side of gate @ \$62.00 each

2. Said hydrants and valves to be tested at 300 pounds hydrostatic pressure, suitable for 150 pounds water working pressure, and all made strictly in accordance with the American Water Works Association specifications, and all in accordance with notes and specifications relating for bids on said material, and on file in the office of said Board in its Water Works Department, and in accordance with the bid of party of the second part, which specifications and bid are made a part of this contract, the same as if copied herein.

3. Party of the second part agrees to deliver to the party of the first part within ten days from the execution of this contract a bond for the

performance of this contract, with a surety company
as surety thereon, and to the approval of said Board
of Public Works, said bond to be in the sum of \$379.75.

4. Party of the first part agrees to pay for said material at the prices above set out, within 30 days ~~after~~ after delivery thereof.

In Witness Whereof, the parties hereto have hereunto set their hands, and seals, the day and date hereabove written.

City of Fort Wayne,
by John B. Kochs
Otto Beings
Jesse Bowers
its Board of Public Works.

Fort Wayne Oil & Supply Co.
by Cury Leeper
its Sales Manager.

Sec. 1. Be it ordained by the Common Council of the City of Fort Wayne that the contract heretofore on the day of February, 1922, executed by and between the City of Fort Wayne, by and through its Board of Public Works, and the Fort Wayne Oil & Supply Company, a Corporation, as fully set forth in the preamble hereto, be, and the same is in all things approved.

Sec. 2. That the ordinance be in full force and effect from and after its passage, and approved by the Mayor.

R. C. Pence.

Done at the Council Chamber in the City of Fort Wayne this 28th day of February, 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 28th day of February, 1922, by a majority vote of all its members elect, did pass the ordinance hereto attached, and known as, General Ordinance No. 1072.

Frank A. Schramm
President

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 6th day of March 1922.

Otto W. Koenig
City Clerk.

Approved this 6th day of March, 1922.

Wm. J. Hozay
Mayor.

General Ordinance No. 1073

An Ordinance changing the name of Garden Street to that of Thompson Avenue.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, Indiana, that the name of that part of Garden Street running south from Taylor Street to where it connects with Thompson Avenue shall hereafter be Thompson Avenue.

Section 2. That the ordinance shall be in full force and take effect on, and after its passage and approval by the Mayor.

J. H. Freeman

Done at the Council Chamber in the City of Fort Wayne, this 28th day of February 1922.

We hereby certify: that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 28th day of February, 1922, by a majority vote of all the members elect, did pass the ordinance herein attached, and known as General Ordinance No. 1073

Frank A. Lehmann,
President.

Ottob Koenig
City Clerk.

Presented to the Mayor for approval on the 6th day of March, 1922.

Ottob Koenig
City Clerk.

Approved this 6th day of March, 1922,

Wm. J. Tracy
Mayor.

General Ordinance No. 1074

An Ordinance amending Sections 2 and 3 of Chapter 29 of General Ordinance 390, known as the Building Code, passed as amended May 25th, 1909, as amended Feb. 28th, 1922.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, Indiana, that section 2 of said Chapter 29 of General Ordinance 390, known as the Building Code, passed as amended May 25th 1909 be now amended to read as follows:

Section 2.

Construction and Character.

Sec. 2 Every theatre or opera house or other building intended to be used for theatrical purposes or for public entertainment of any kind, hereafter erected for the accommodation of more than three hundred (300) persons, shall be built to comply with the requirements of this chapter. No building, which, after the passage of this ordinance, is not in actual use for theatrical or operatic purposes, and no building hereafter erected, not in conformity with the requirements of this Chapter, shall be used for theatrical or operatic purpose, or for public entertainments of any kind, until the same shall have been made to conform to the requirements of this chapter. And no building heretofore erected shall be given to the public for theatrical or operatic purposes or for public entertainments of any kind until the Building Inspector shall have approved the same in writing as conforming to the requirements of this chapter. Every such building shall have a least one front on the street, and in such front there shall be suitable means of exit and entrance for the audience. In addition to the aforesaid entrances and exits on the street there shall be reserved for service in case of emergency, an open court or space on the side not bordering on the street, where said building is located on a corner lot; and on both sides of said building where there is but one frontage on the street. The width of such open court or courts shall not be less than ten (10) feet in width where the seating capacity is eight hundred (800) or above that number, and where less than eight hundred (800) eight (8) feet in width. Said open court or courts shall begin on a line with the proscenium wall and ~~and~~ extend the length of the auditorium proper, to or near the wall separating the same from the entrance lobby or vestibule. A separate and distinct corridor shall continue to the street from each open court through such superstructure as may be built on the street side of the auditorium, with continuous walls or fire-proof materials on each side of the entire length of said corridors or corridors, and the ceiling and floor shall be fireproof. Said corridor or corridors shall not be recessed in which to more than three (3) feet less than the open court or courts, and there

shall be no projections in the same; the outer openings to be provided with doors or gates opening toward the street. Provided, however, that where said building is located on a corner lot, and also abuts on a public alley immediately in the rear of said building, then it shall be a sufficient compliance with this section if said open court on the side not bordering on the street begins immediately in front of the exits required by this ordinance on said side, and if said open court and corridor shall continue and run from said exits to said alley in the rear of said building.

During the performance the doors or gates in the corridors shall be kept open by proper fasteners; at other times they may be closed and fastened by movable bolts or locks. The said open courts and corridors shall not be used for storage purposes, nor for any other purpose whatsoever except for exit from and to the auditorium stage, and must be kept free and clear during performance. The level of said corridors at the entrance to the building shall not be greater than one step above the level of the sidewalk, where they shall begin at the street entrance. The entrance to the main front to the building shall not be on a higher level from the sidewalk than four (4) steps, thirty-two (32) inches, unless approved by the Building Inspector.

Sec. 2. That section three of said Chapter 29 of said ordinance be amended to read as follows:-

"Sec. 3 Number and Character of Exits. To overcome any difference of level in and between courts, corridors, lobbies, passages and aisles on the ground, gradients shall be employed of not over one (1) foot in twelve, with no perpendicular rises from the auditorium opening into said courts or into side street, there shall be not less than two exits on each side, neither of which exits shall be nearer the proscenium wall nor the vestibule wall than one third the length of the auditorium. In each tier, from and including the parquet and each and every gallery. Each exit shall be at least five (5) feet in width in the clear, and provided with doors of iron or wood; if of wood, the door shall be battened and covered within. All of said doors shall open outwardly and shall be fastened with movable bolts, the bolts to be kept drawn during performances.

Sec. 3. That this ordinance be in full force, and take effect from and after its passage, approval by the Mayor and legal publication.

Geo. Dewald,

Done at the Council Chamber in the City of Fort Wayne this 28th day of February 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 28th day of February, 1922, by a majority vote of all its members met, did pass the Ordinance hereto attached and known as General Ordinance No. 1074.

Frank A. Schramm
Clerk

Chas. H. Koenig
City Clerk

Presented to the Mayor for approval on the 6th.
day of March 1922.

Otto Koenig
City Clerk.

Approved this 6th day of March 1922.
Wm J. Koenig
Mayor.

General Ordinance No. 1075

An Ordinance authorizing the Board of Public Works to sell certain personal property.

Sec. 1. Be it ordained by the Common Council of the City of Ft Wayne, Indiana, that the Board of Public Works be and it is hereby authorized to sell and dispose of accumulated property in connection with the Water Works Department, the amount thereof to be sold, not to exceed the sum of one thousand dollars, and in view of the amount not exceeding one thousand dollars, that the same be sold without appraisement.

Sec. 2 This Ordinance to be in full force and to take effect and after its passage and approval by the Mayor.

Frank Schwartz.

Done at the Council Chamber in the City of Fort Wayne, this 14th day of March 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 14th day of March, 1922, by a majority vote of all the members elect, did pass the ordinance hereunto attached, and known as General Ordinance No. 1075.

Frank R. Schramm;
President

Otto W. Kosmick
City Clerk.

Presented to the Mayor for approval on the 16th day of March 1922

Otto W. Kosmick
City Clerk.

Approved the 17th day of March 1922

Wm. J. Hony
Mayor.

New Ordinance No. 1076

See Ordinance approving a contract entered into on the day of March 1922, by and between the City of Fort Wayne, and C. L. Bieely.

Whereas, heretofore on the 9th day of March 1922 the City of Fort Wayne by and through its Board of Public Works entered into a contract with C. L. Bieely for the drilling of not less than two wells in connection with the Water Works Department of said City, which contract is in the following words:

This Agreement made this 9th day of March, 1922, by and between the City of Fort Wayne, by and through its Board of Public Works, party of the first part, and C. L. Bieely, party of the second part, Witnesseth:

That in consideration of the mutual covenants herein expressed, it is by the parties hereto agreed:—

1. Second party shall furnish all of the labor and material, including machinery, fuel, water and other necessary apparatus, for, and shall drill and cause to be drilled for first party such number of wells, not less than two, the exact number and location to be determined by the first party, such wells to be eight inches (8") in diameter, from top to bottom, and ~~shall~~ of the best quality of heavy eight inch (8") wrought iron drive pipe, of nominal weight, of not less than twenty eight pounds (28) per foot, and protected by first class steel shoes to prevent damage while driving to rock, and to enable pipe to be driven into rock the proper depth to insure its being sufficiently tight to shut off all seepage and surface water. All joints to be firmly screwed together, one and one fourth (1 1/4) inches to coupling, with red lead in each joint. All castings to be driven into bed rock sufficiently to shut off surface water and sand. Vacuum gauge to be used to show number of feet lift each well may have. Newest and best improved machinery to be used, so as to avoid delay due to leakage. New lines for drill to be provided and so used as to do away with risk of customary accidents in finishing wells. Each of said wells to be of such depth as may be designated by the first party, not less than One hundred (100'), ~~not~~ or more than Three hundred Fifty (350') feet. Wells to be drilled by expert labor and drilling to be continuous until sufficient depth shall be attained.

2. Work to be commenced on each well within 15 days from the ^{time} second party is ordered so to do by first party, and such wells respectively to be completed and in good working order within 30 days from the time of commencement. Work on each well to be abandoned or suspended, for the purpose of making tests as to capacity thereof, if desired by first party. All testing apparatus to be furnished by second party, and all expense of testing to be at his expense.

3. After ~~each~~ well is completed same must be pumped until clean, and free from drillings, and after so cleaned and freed, well to stand at least fifteen minutes to show condition of sand. If same leaks or does not prevent seepage of sand or water, first party shall have the right to reject same. First party to pay second party for all accepted wells the sum of ~~Three~~ Dollars seventy cents (\$3.70) per foot, from top of ground to bottom of well, within 10 days from the completion and acceptance of each well.

4. Second party shall furnish bond to first party in the sum of One thousand (\$1000.00) Dollars, with surety company as surety thereon, condition for the faithful performance of this contract, and to the approval of said Board within 10 days from date of contract.

Witness our hands and seals the day first above written.

City of Ft Wayne
by John B. Kothe

Otto Berens

James Berens.

Its Board of Public Works

E. S. Bierly

Party of the second part.

Section 1. Be it Ordained by the Common Council of the City of Fort Wayne that the contract heretofore entered into on the day of March 1922 by and between the City of Fort Wayne by and through its Board of Public Works and E. S. Bierly for the drilling of wells in connection with the Waterworks Department of said City, as fully set out in the preamble hereto, be and the same is hereby in all things ratified and approved.

Section 2. That this Ordinance be in full force and to the effect read after its passage and approval by the Mayor.
M. C. Berens.

Done at the Council Chamber in the City of Fort Wayne this 14th day of March 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 14th day of March, 1922, by a majority vote of all the members elect, did pass the ordinance herunto attached, and known as General Ordinance No. 1076

Frank A. Schramm

President.

Otto W. Koenig

City Clerk.

Presented to the Mayor for approval on the 16th day of March, 1922.

Otto W. Koenig

City Clerk.

Approved this 17th day of March, 1922.

Wm. J. Horney
Mayor.

General Ordinance No. 1077

An ordinance authorizing the controller to loan \$5000.00, out of the River Improvement fund to the Department of Public Parks.

Sec. 1. Be it ordained by the Common Council of the City of Fort Wayne, that the Controller be and is hereby authorized, and directed, to loan to the Department of Public Parks out of the money now in the River Improvement fund, the sum of \$5000.00 to be paid by the Park Department out of the taxes collected in 1922, out of its fund appropriated for street tree preservation the same to be repaid to the Controller by said Park Department, out of the taxes to be collected during the year 1922, together with interest at the rate of three percent per annum.

Section 2. That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Alvin F. Pullman

Done at the Council Chamber, in the City of Fort Wayne, this 14th day of March, 1922

I do hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 14th day of March, 1922, by a majority vote of all the members elect, did pass the ordinance hereunto attached and known as General Ordinance No. 1077.

Frank A. Shrum
President

Otto W. Koenig
City Clerk

Presented to the Mayor for approval on the 16th day of March, 1922

Otto W. Koenig
City Clerk

~~Approved this 17th day of March, 1922~~

~~Wm. J. Hovey~~

This Ordinance was not approved for the reason that other arrangements were made.

Wm. J. Hovey
Mayor

General Ordinance No. 1078

An Ordinance ratifying and approving a contract entered into by and between the City of Fort Wayne, Indiana, by and through its Board of Public Works and the Sanitary Engineering Company, Incorporated, by Anton Haberstok, its President for the plumbing and filtration system complete to be installed in conjunction with swimming pool and bath house in West Swimming Park.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, Indiana, that the contract heretofore entered into on the 9th day of February, 1922 by and between the City of Fort Wayne by and through its Board of Public Works and the Sanitary Engineering Company, Incorporated, by Anton Haberstok, its President, as more fully set out in the preamble hereto, be and the same is hereby in all things ratified and approved.

Section 2. That this ordinance be in full force and take effect from and after its passage and approval by the Mayor.

E. W. O'Rourke.

Done at the Council Chamber in the City of Fort Wayne this 14th day of March 1922.

We hereby certify: That the Common Council of the City of Fort Wayne Indiana, at a regular meeting held on the 14th day of March, 1922, by a majority vote of all the members elect, did pass the ordinance hereunto attached, as known as General Ordinance No. 1078.

Frank A. Schramm
President

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 16th day of March, 1922.

Otto W. Koenig
City Clerk.

Approved this 17th day of March 1922.

Wm. J. Hovey
Mayor

General Ordinance No. 1079

An Ordinance repealing General Ordinance Number 1054 entitled, "An Ordinance requiring all milk and cream sold in the City of Fort Wayne, for use as such, to be clarified or amended." Passed on its third reading December 13th, 1921.

Section 1. Be it Ordained by the Common Council of the City of Fort Wayne, Indiana, that General Ordinance Number 1054, being the above entitled Ordinance and the same is hereby in all things repealed.

Section 2. That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Fred Hooser
Frank A. Scheanner

Done at the Council Chamber in the City of Fort Wayne, this 14th day of March, 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 14th day of March, 1922, by a majority vote of all the members elect, did pass the ordinance herunto attached, and known as, General Ordinance Number 1079.

Frank A. Scheanner
President

Otto W. Koenig
City Clerk

Presented to the Mayor for approval on the 16th day of March 1922.

Otto W. Koenig
City Clerk

Approved this 17th day of March, 1922

Wm. J. Hovey
Mayor

General Ordinance No. 1080

An Ordinance changing the name of Organ Avenue to that of Kinsmoor Avenue.

Section 1. Be it ordained by the common council of the city of Fort Wayne, Indiana, that the name of Organ Avenue, running from Broadway to Webster Street, shall hereafter be Kinsmoor Avenue.

Section 2. That this ordinance be in full force and take effect from and after its passage and approval by the mayor.

J. H. Freeman

Catharine M. Dinklage

Done at the Council Chamber in the City of Fort Wayne, this 28th day of March, 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 28th day of March, 1922, by a majority vote of all the members elect, did pass the ordinance hereunto attached, and known as General Ordinance Number 1080.

Frank A. Schramm
President

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 30th day of March, 1922

Otto W. Koenig
City Clerk.

Approved this 4th day of April 1922.

Wm. J. Hovey
Mayor.

General Ordinance No. 1081

An Ordinance authorizing the sale by the Board of ~~City~~ Public Safety of Old Police Patrol Automobile.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, that the Board of Safety be and is hereby authorized to sell the old police patrol automobile and to file its petition by and through the City Attorney with the Allen Circuit Court for the appointment of appraisers to appraise said property.

Section 2. That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Bathurst M. Dinklage.

Done at the Council Chamber in the City of Fort Wayne, this 28th day of March 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 28th day of March 1922, by a majority vote of all the members present, did pass the ordinance herewith attached, and the same as General Ordinance Number 1081.

Frank A. Schramm
President

Otto Koenig
City Clerk.

Presented to the Mayor for approval on the 30th day of March 1922.

Otto Koenig
City Clerk

Approved this 4th day of April 1922

Wm. J. Hoeny
Mayor.

General Ordinance No. 1082

An Ordinance repealing General Ordinance No. 825 being an Ordinance requiring the Deputy City Controller to act as purchasing agent and fixing his compensation therefore

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, that General Ordinance No. 825 passed and adopted by this Council on the 26th day of March 1918, being an ordinance requiring the Deputy City Controller to act as Purchasing Agent and fixing his compensation therefore, be and the same is hereby in all things repealed.

Section 2. That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Frank A. Schramm.

Done at the Council Chamber in the City of Fort Wayne this 28th day of March 1922.

We hereby certify, That the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 28th day of March 1922, by a majority vote of all the members present, did pass the Ordinance herewith attached, and known as General Ordinance No. 1082.

Frank A. Schramm.
President

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 30th day of March 1922.

Otto W. Koenig
City Clerk.

Approved this 4th day of April 1922.

Wm. J. Thorey
Mayor

General Ordinance No. 1083

An Ordinance amending Sections 2, 27, and 28 of General Ordinance No 892 being an ordinance defining the limits of the wholesale and retail markets on Barr St. and regulating the wholesaling and retailing of provisions and articles of food upon said markets and providing a penalty for the violation thereof - passed on its third reading February 25th 1919, as amended April 11, 1922.

Sec. 1 Be it ordained by the Common Council of the City of Fort Wayne, that Section 2 of the Ordinance referred to in the title hereof be amended to read as follows:

Sec. 2. The Farmers public Retail market of vegetables, poultry, meats, fruits and other articles of food shall be located over and along Barr Street between the south line of Main Street and the north line of Washington Street, or East Berry Street east of Barr Street in said city and upon no other street, avenue or public place in said city shall any such market be maintained.

The market master of said city shall take and have entire control of such market. It shall be unlawful for any person, firm or corporation to sell or offer for sale on said Barr Street Retail Market any articles not produced by said person, firm or corporation. Provided, however, that no one who is a bona fide seller on said market of articles raised or produced by him shall be held to have violated this section by selling or offering for sale on said market any addition to such articles raised or produced by him, or any articles procured or purchased by him direct from a producer or raiser thereof.

Sec. 2 That Section 27 of said ordinance be amended to read as follows:

Sec. 27. That the rental price for the use of the stands and stalls in the covered market for Tuesdays, Thursdays and Saturdays shall be fifteen (\$15.00) Dollars per annum and a like rental for such stands or stalls for Mondays, Wednesdays and Fridays; provided however, no stand in the covered market is to be rented for such day respectively less than a period of one year unless otherwise herein provided and provided, however, it is the intent and purpose of this ordinance that this ordinance that producers and marketers who have no stands rented annually on Tuesdays, Thursdays and Saturdays shall be given preference in the annual renting of stands for Mondays, Wednesdays and Fridays by the Market master.

Section 3. That Section 28 of said ordinance be amended to read as follows:

Section 28. All persons desiring to renew the rental of stalls or stands on said retail market shall file notice of their desire to so renew with the clerk of the Board of Public Safety between the first day of May and the first day of June of each year, provided, however, that the right to renew such stand or stall

is only given to the marketer, or person, firm or corporation who produces the commodity sold. Thereupon the clerk shall immediately issue an order to the applicant for such stand or stall and upon the immediate presentation of the same and upon the immediate payment of Fifteen (\$15.00) Dollars by the applicant to the said Controller the latter shall issue a certificate to the applicant entitling him to use such stand or stall on the days covered by said rental for a period of one year from the date of said certificate, which certificate shall be dated the third Saturday of June. All stands or stalls not renewed before the third Saturday of June shall be rented on said day to marketers only who produce the commodity sold by them upon the market, provided, however, that no application for rental of such stands or stalls shall be received before ten o'clock A. M. of said Saturday of June and all certificates shall be issued so as to expire by said Saturday of June. Upon the issuance of an order by the clerk to said applicant, he shall present said certificate to said Controller as hereinbefore provided."

Sec. 4. That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Fred Horner.

Done at the Council Chamber in the City of Fort Wayne this 11th day of April 1922.

We hereby certify. That the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 11th day of April 1922, by a majority vote of all the members elect, did pass the Ordinance herewith attached, and known as General Ordinance No. 1083.

Frank A. Schramm
President.

Chas. W. Koenig
City Clerk.

Presented to the Mayor for approval this 18th day of April 1922.

Chas. W. Koenig
City Clerk.

Approved this 19th day of April 1922.

Wm. J. Horsey
Mayor.

General Ordinance No 1084.

An Ordinance changing the names of certain streets and avenues in the City of Fort Wayne, Indiana, as amended April 11th 1922.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, Indiana, that the following described streets and avenues shall hereafter be known and called by the following names, viz:

1. Anthony Avenue, in Statens and Abbots Addition from Wayne Trail to Birchwood Avenue be known as and called Lincoln Ave.
2. Beech Street in Electric Addition from Taylor Street to Brown Street be known as and called Electric Avenue.
3. Brookside Avenue on the west side of Lindenwood Cemetery from the Illinois Road to the Yellow River Road be known as and called Lindenwood Avenue.
4. Burk Avenue in Petits Addition from State Boulevard to Dodge Avenue be known as and called California Avenue.
5. Blanche Drive in Fairmont Addition a continuation of Clermont Drive be known as and called Clermont Drive.
6. Central Avenue in South Walton Avenue ^{and} Addition to be known as and called Central Drive.
7. Central Avenue in Riverside Addition from Chum Avenue to 2nd Avenue be known as and called Oswego Avenue.
8. Crescent Drive in Crescent Heights Addition from Crescent Avenue west, be known as and called Stillcrest Drive.
9. Custer Avenue from High Street to its southern terminus be known as and called Orange Street.
10. Decatur Avenue from Anthony Boulevard east, a continuation of McKinnis Avenue, be known as and called McKinnis Avenue.
11. Drexel Avenue in Drexel Park Addition and Drexel Boulevard in Pontiac Place Addition be known as and called Drexel Avenue.
12. East Avenue in South Walton Avenue and Addition be known as and called Paragon Ave.
13. Federal Park Place from Webster Street to Hoagland Avenue, a continuation of Arcadia Court be known as and called Arcadia Court.
14. First Avenue and Foster St. in Commercial Addition be known as and called McKinley Avenue.
15. Fleming Street in Banks and Commercial Additions be known as and called La Fontaine Street.
16. Franklin Street in Huestis and Taylors Subdivision from Alexander Street to Radcliff Drive be known as and called Cleveland Avenue.
17. Hilda Drive in Fairmount Place Addition, a continuation of Maxine Drive be known as and called Maxine Drive.
18. Kenneth Drive in Fairmont Addition, a continuation of Pasadena Drive be known as and called Pasadena Drive.
19. Orchard Avenue in Cliff Place Addition from Leesburg Road west, be known as and called Montclair Avenue.
20. Penn Street from Anthony Boulevard to Grant Avenue, be known as and called Luther Street.
21. Portage Avenue, a continuation of West Main Street be known as and called West Main Street.

22. Second Avenue in Commercial Addition from Taylor Street north, be known as and called Berghoff Street.
 23. Third Avenue in Commercial Addition from Beadell Street to Cass. Railroad be known as and called Wright Street.
 24. Walter Street crossing Taylor Street at Interurban Ave Addition be known as and called Fillmore Street.
 25. Wayne Trace Avenue extended from Anthony Boulevard to Queen Street be known as and called Oxford Street.

Section 2. That this Ordinance be in full force and take effect from and after its passage and approval by the Mayor.

Irvin Louck

Done at the Council Chamber in the City of Fort Wayne this 11th day of April 1922.

We hereby Certify: That the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 11th day of April 1922, by a majority vote of all the members elect, did pass the ordinance hereunto attached, and known as General Ordinance No. 1084

Frank A. Schramm,
President.

Otto W. Hering,
City Clerk

Presented to the Mayor for approval on the 19th day of April 1922.

Otto W. Hering,
City Clerk.

Approved this 19th day of April 1922.

Wm. J. Horey
Mayor.

General Ordinance No. 1085

An Ordinance prescribing conditions under which the Home Telephone and Telegraph Company shall extend, construct, lay, maintain, use and operate an extension of its underground telephone system from Harrison and Berry Streets to West Main Street and Portage Avenue.

Whereas, by communication from the Home Telephone and Telegraph Company it is shown that a necessity exists for the extension of the said company's underground telephone system as set forth in the title to this Ordinance therefore

Section 1. Be it ordained by the Common Council of the City of Fort Wayne that the Home Telephone and Telegraph Company, its successors and assigns be and are hereby authorized and empowered to extend, construct, lay, maintain, use and operate its underground telephone system from the corner of Harrison and Berry Streets in said city to the corner of West Main St. and Portage Ave., in accordance with and as set forth in the plans and specifications for such work placed on file in the office of the Board of Public Works in said City by said company and which are hereby referred to as a part of this ordinance, the same as if fully copied herein.

Section 2. That the said permission and authority hereby given and granted be on the following terms and conditions, which terms and conditions the said corporation by its acceptance hereof expressly covenants, and agrees for itself, its successors and assigns to fully carry out and perform.

A. All of said work shall be constructed and laid as set forth in said plans and specifications and set forth in a contract and ordinance approving the same, by the said corporation and said City executed on the fourteenth day of January, 1896 and contained in Ordinance record No. 1 of said City on page 139 and all ordinances and contracts supplementary thereto and amendatory thereof.

B. Said corporation, its successors and assigns expressly agrees to replace all pavements and all highways, whether paved or not, torn up or disturbed by putting in and maintaining said extension of its underground telephone system and if necessary put in new pavements and new material at its own expense so as to leave the pavement or highway disturbed in as good condition as it was before the construction of said extended underground system and to repair any and all such pavements or highways whether paved or not, whenever necessary and to remedy all damage thereto whenever caused by reason of the maintenance of said extended underground system.

C. Said corporation shall forever indemnify said City and save it harmless against and from

any and all damages, judgments, decrees, costs and expenses which said City may suffer or which may be recovered or obtained against it and by reason of or growing out of or resulting from the execution of this contract, the passage of an ordinance ratifying the same, or the laying, constructing, or maintaining of the system herein provided for, or the exercise by said corporation its servants or agents, of the rights, privileges, limitations, conditions, agreements, stipulations or requirements herein contained, and agrees to pay any such damage to person or property whether to the City or any of its citizens and on failure to do so said City may pay the same and recover the amounts so paid or any damage accruing to it together with attorney fees and expenses in the collection thereof.

D. Until the happening of the contingency set forth in clause C. of this contract the Corporation, in the enjoyment of its rights hereunder, shall in all things be governed and controlled by all the limitations, conditions, agreements, stipulations, duties and requirements of and contained in, and shall have all the rights, privileges and powers contained in the contract referred to in clause C. insofar as the same are not in conflict with the rights and duties of the corporation under and growing out of existing or future laws of the State of Indiana and which said rights, privileges and powers may be, and which said limitations, agreements, conditions, stipulations and requirements shall be exercised, kept and performed by the Corporation, its successors and assigns in so far as the same do not conflict.

E. If an act of the General Assembly of the State of Indiana, known as the Shively Public Utility Commission Act, passed at its session of 1913 and contained in the acts of the General Assembly of Indiana for the year 1913 on page 167 should be repealed or annulled, either by such General Assembly or by Court action, the Corporation in the enjoyment of its rights hereunder, together with all other rights in said City shall in all things be governed and controlled by all the limitations, conditions, agreements, stipulations, duties and requirements of and contained in, and shall have all the rights, privileges, and powers contained in said contract so executed by the said corporation and said City on said fourteenth day of January 1896, set forth in said ordinance record no. 1 page 139 above referred to, which said rights, privileges and powers may be and which said limitations, agreements, conditions, stipulations and requirements shall be kept and performed by said Corporation, its successors and assigns.

Section 3. That this ordinance be in full force and effect on and after its passage and approval by the Mayor.

Frederick Storer

Done at the Council Chamber in the City
of Fort Wayne, this 25th day of April 1922.

We hereby Certify, that the Common Council of the
City of Fort Wayne, Indiana, at a regular meeting
held on the 25th day of April 1922, by a majority
vote of all the members elect, did pass the Ordinance
hereinto attached, and known as General Ordinance
No. 1085.

Frank A. Schramm.
President.

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval this on the
28th day of April 1922.

Otto W. Koenig
City Clerk.

Approved this 4th day of May 1922.

Wm J. Hovey
Mayor.

General Ordinance No. 1086

An Ordinance authorizing the Board of Public Works to sell certain personal Property.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, that the Board of Public Works be and ~~the~~ it is hereby authorized to sell and dispose of accumulated scrap in connection with the Water-Works Department. The amount thereof to be sold, not to exceed the sum of One, hundred Dollars, and in view of the amount not exceeding one hundred Dollars, that the same be sold without appraisement.

Section 2. This Ordinance to be in full force and to take effect on and after its passage and approval by the Mayor.

U. F. Bullerman

Done at the Council Chamber, in the City of Fort Wayne this 25th day of April 1922.

We hereby Certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 25th day of April 1922, by a majority vote of all the members present, did pass the Ordinance herewith attached and known as General Ordinance No. 1086.

Frank A. Schramm
President.

Otto Koenig
City Clerk

Presented to the Mayor for Approval on the 28th day of April 1922.

Otto Koenig
City Clerk

Approved this 4th day of May, 1922.

Wm. J. Horey
Mayor

General Ordinance No. 1087.

An ordinance authorizing the Board of Public Works to purchase certain real estate.

Sec. 1. Be it ordained by the Common Council of the City of Fort Wayne, that the Board of Public Works be and it is hereby authorized to purchase the following real estate:

A tract of land in the southwest portion of Lot 5 within Reserve, Township 30 North Range 12 East, commencing on the south line of Fourth street 293 $\frac{1}{3}$ feet east of the east line of the alley east of North Clinton street, thence south 115 feet, thence East parallel with the south line of Fourth street 60 feet, thence north 110 feet to the north line of Fourth street and thence west 60 feet to place of beginning, for the purpose of ingress to and egress from land owned by the city abutting on the St. Mary's River.

Sec. 2. That said Board be authorized to pay for therefore a sum not to exceed \$10,000.00 either by purchase or condemnation and that the same be paid out of the Flood Prevention and River Improvement fund.

Sec. 3. That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Geo L. Sewald.

Done at the Council Chamber in the City of Fort Wayne this 25th day of April 1922.

We hereby Certify, that the Common Council of the City of Fort Wayne, Indiana at a regular meeting held on the 25th day of April 1922, by a majority vote of all the members present, did pass the ordinance hereunto attached and known as General Ordinance No 1087.

Frank A. Schramm,
President

Chas. W. Koenig,
City Clerk.

Presented to the Mayor for approval on the 28th day of April 1922.

Chas. W. Koenig,
City Clerk

Approved this 4th day of May 1922.

Wm J. Hovey,
Mayor.

General Ordinance No 1088

An Ordinance approving a contract entered into on the 5th day of May: By and between the City of Fort Wayne, party of the first part, and Hammond-Byrd Iron Company, party of the second part.

Whereas, on the 5th day of May, 1922, the City of Fort Wayne by and through its Board of Public Works entered into a contract with the Hammond-Byrd Iron Company for the purchase of bell and spigot end iron pipe for the Waterworks Department of said City, in connection with the new proposed Westfield Pumping Station, which contract is in the following words:-

This Agreement made this 5th day of May 1922, by and between the City of Fort Wayne, by and through its Board of Public Works, party of the first part, and Hammond-Byrd Company, a corporation, party of the second part, Witnesseth:

That in consideration of the mutual covenants herein contained it is by the parties hereto agreed:-

1. That the party of the second part will furnish and deliver to the party of the first part, S. O. B. Co. in Anniston Alabama, at and for the places mentioned, the following cast iron pipe:-

Approximately 2000 feet 6 inch class B., Bell and Spigot end Iron Pipe, 12 foot lengths at \$33.00 per ton.

Approximately 4850 feet 12 inch class B., Bell & Spigot end Iron Pipe, 12 foot lengths at \$33.00 per ton.

Approximately 2800 feet 12 inch class B., Bell & Spigot end Iron Pipe, 12 foot lengths at \$33.50 per ton.

Stand and fittings at \$90.00 per ton.

2. All pipe to be standard 12 foot lengths, and to be 86 pounds working pressure, the same as rated by the National Board of Fire Underwriters for water mains for pressures up to 100 pounds per square inch.

All of said material to be furnished in accordance and compliance with the bid heretofore made by said second party to first party on April 25th, 1922, and in accordance with notice and specifications on file in the office of the Board of Public Works, in its Water Works Department, calling for said material, excepting insofar as the same conflicts herewith, which bid and specifications are made a part of the same as if copied herein.

3. Party of the second part agrees to deliver to the party of the first part within ten days from the execution of this contract a bond for the performance of this contract, with a surety company as security thereon, and to the approval of said Board of Public Works, said bond to be in the sum of \$5717.90.

4. Party of the first part agrees to pay for said material within thirty days from the date of delivery thereof.

In Witness Whereof, the parties hereto have hereunto
set their hands and seals, the day and date hereabove
written.

City of Fort Wayne
by John B. Kocks

Otto Bengt
Jesse Bronius
Its Board of Public Works
Hammond - Byed Iron
by H. F. Mores
its Treas.

Section 1. Be it ordained by the Common Council
of the City of Fort Wayne, that the contract heretofore entered
into on the 5th day of May, 1922, by and between the City
of Fort Wayne, by and through its Board of Public Works,
and Hammond - Byed Iron Company for the pur-
chase of bell and spigot pipe for the water works de-
partment of said City is fully set out in the preamble
herein, and the same is hereby in all things ratified
and approved.

Sec. 2. That this Ordinance be in full force and take
effect from and after its passage and approval by the Mayor.

W. F. Burns

Done at the Council Chamber in the City of Fort Wayne:
this 9th day of May, 1922.

Whereby Certify, that the Common Council of the City
of Fort Wayne, Indiana, at a regular meeting, held
on the 8th day of May, 1922, by a majority vote of all the
members elect, did pass the ordinance hereunto attached
and known as General Ordinance No. 1088.

Frank A. Lickam
President

Otto W. Koenig
City Clerk

Presented to the Mayor for approval on the 12th day
of May, 1922.

Otto W. Koenig
City Clerk

Approved this 15th day of May, 1922.

Wm. J. Hovey
Mayor

General Ordinance No. 1089

An Ordinance Providing for the taking over and control of certain Real Estate belonging to the City by the Department of Public Parks.

Whereas, there are a great many tourists travelling in motor vehicles passing through the city daily who, if proper facilities were provided, would remain as guests in the city for several days resulting in a general benefit to the city, and

Whereas, the city at this time is in need of a tourist camp for the benefit of such travelling ~~city~~ and is at this time the owner of about six acres of real estate abutting upon the Saint Mary's River immediately south of the west end of the Bridge crossing said river at Broadway which could be used for park purposes for auto tourists and which real estate is at this time not used by the City for any other purpose and will not be needed for any purpose what ever for a long time, therefore

Section 1. Be it Ordained by the Common Council of the City of Fort Wayne, Indiana, that the approximately six acre tract of real estate owned by the City abutting upon the Saint Mary's River immediately south of the west end of the bridge crossing said river at Broadway be and the same is hereby placed under the control of the Department for Public Parks to be used for park purposes for the travelling public as a tourist camp until such time as this Council may by Ordinance determine that said tract of real estate is needed by the City for other purposes.

Sec. 2. That this Ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Geo. E. Dewald

Alvin F. Bullman

Edw. O'Rourke

Done at the Council Chamber in the City of Fort Wayne this 13th day of June 1922.

We hereby certify that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 13th day of June 1922, by a majority vote of all the members that did pass the Ordinance hereto attached, and known as General Ordinance No. 1089.

Frank A. Schramm.
President.

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 19th day of June 1922.

Otto W. Koenig
City Clerk.

Approved this 20th day of June 1922.

Wm. J. Hoseney
Mayor.

General Ordinance No. 1090

An Ordinance amending Section 2, General Ordinance 1042 passed by the Common Council on Sept 13th, 1921, as amended June 13th, 1922.

Section 1. Be it ordained by the Common Council of the City of Fort Wayne, that section 2 of the above named Ordinance be amended to read as follows:

"Section 2. That section 9 of the above entitled ordinance No. 932, be amended to read as follows: "Section 9. It shall be unlawful for the driver of any vehicle to stop, or allow or permit to be stopped, any such vehicle, or for the owner of any such vehicle, to authorize, direct or permit any such vehicle to be stopped on Calhoun Street in the congested district nor on the east side of Grand Street longer than ten (10) minutes in any one hour, between the hours of 7. A. M. and 9 P. M., and then only when transacting business in some business house between the intersecting streets where such vehicle is stopped. No vehicle, except on Sunday shall be parked on Harrison Street or Clinton Street between Columbia and Washington Streets nor on Columbia, Main, Berry, Wayne or Washington Streets between Harrison and Clinton Streets longer than thirty minutes in any one hour, between the hours of 7. A. M. and 6 P. M.

It shall be unlawful for the driver of any vehicle to stop or allow or permit to be stopped any vehicle or for the owner of such vehicle to authorize or direct any such vehicle to be stopped on Main or Calhoun Streets for a distance of 100 feet from the intersection of said streets, excepting when required so to do by other travel on the street and then only until the congestion caused by other travel is removed. The Board of Public Safety shall caused to be placed in every block where the time of parking is restricted signs designating such time limit."

Section 2. That this Ordinance be in full force and effect after its passage and approval by the Mayor and legal publication.

Frank A. Schreiner

Done at the Council Chamber in the City of Fort Wayne this 13th day of June 1922.

We hereby certify that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 13th day of June 1922, ^{by a majority vote of all members present} did pass the ordinance herewith attached and known as Gen. Ordinance No. 1090.

Frank A. Schreiner
President.

Otto Koenig
City Clerk

Presented to the Mayor for approval on the 14th day of June 1922
Otto Koenig
City Clerk

Approved this 20th day of June 1922

Wm J. Torrey
Mayor.

General Ordinance No. 1091

An ordinance ratifying and approving a contract entered into by and between the City of Fort Wayne and the Dravo-Doyle Company for the furnishing of pumping equipment for the Waterworks Department and the City Light and Power Works.

Whereas, on the 24th day of May 1922, the City of Fort Wayne, by and through its Board of Public Works entered into a contract with the Dravo-Doyle Company, a corporation, for the furnishing of pumping equipment for the Waterworks Department and the City Light and Power Works, which contract is in the following words and figures:

This Agreement, made this 24th day of May, 1922, by and between the Dravo-Doyle Company, a corporation, having its principal place of business in Trenton, New Jersey, party of the first part, hereinafter designated "the contractor" and the City of Fort Wayne, by and ~~between~~ through its Board of Public Works, party of the second part, hereinafter designated "the city" witnesseth:

That the Dravo-Doyle Company hereby agrees to furnish for and deliver to said city, I. O. O. cars Fort Wayne, Indiana the following apparatus, machinery, and materials, to-wit:

One (1) De Laval motor driven centrifugal pumping unit consisting of,

One (1) De Laval 8 inch single stage double section horizontal centrifugal pump mounted on a cast iron bed plate with and direct connected by means of a flexible coupling to,

One (1) General Electric 100 H. P., 40 degree, frame # C-713, 2200 volts, 60 cycle, 3 phase, frame K.T. squirrel cage induction motor,

One (1) General Electric C.R.-1034, H.R.-2724-143 hand compensator with overload and low voltage protection and,

One (1) De Laval motor driven centrifugal pumping unit consisting of,

One (1) De Laval 14" single stage, double section, horizontal centrifugal pump mounted on a cast iron bed plate with and direct connected by means of a flexible coupling to,

One (1) General Electric 50 H. P. frame 342, 50 degree, 900 V. P. M. 440 volts, 60 cycle, 3 phase, frame K.T. induction motor.

One (1) General Electric C.R.-1034, H.R.-1630-143 hand compensator with overload and low voltage protection, in all things in accordance with, and as specified in the specifications therefor prepared by said city, and in accordance with the bid and proposal of the contractor and the typewritten and printed specifications, blue print and drawings therefor prepared by the contractor, dated May 12, 1922, all of which specifications, bid, proposal and specifications of said contractor are attached hereto, and made a part hereof, ~~and~~ at and for the price of Three thousand One Hundred Seventy-five (\$3175) Dollars.

to be paid as follows: Fifty (50%) percent when shipped, by sight draft attached to bill of lading, and fifty (50%) percent 30 days after delivery thereof, which said city expressly agrees to pay as above specified.

The machinery covered hereby is to be shipped within three (3) to four (4) weeks from the date of the approval of this contract by ordinance of the common council of said city.

The Dravo-Doyle Company agrees to protect and save harmless the said City of Fort Wayne from all royalties, penalties, damages, cost and expense on account of or growing out of any infringement of any kind or character and agrees to defend in its name, or in the name of the said City, any and all actions and suits that may be instituted for recovery of such penalty, royalty, damage, cost or expense and its expense and to pay any judgement that may be rendered for or on account of such royalties, penalties, damages and cost and expense in connection therewith.

Witness the hands and seals of said parties the day and year first above written.

City of Fort Wayne, Indiana,
by John B. Kochs.

Otto Bengs

June Brosius

Its Board of Public Works.

Dravo Doyle Co.

by J. F. Berger.

Know all men by these Presents, that we, Dravo-Doyle Company, a corporation, as principal, and Hartford Accident and Indemnity Company of Hartford Conn. as surety, are held firmly bound unto the City of Fort Wayne, in the penal sum of One thousand five hundred Eighty Seven + 50/100 Dollars, (\$1,587.50), for the payment of which, we jointly and severally bind ourselves, our successors and assigns.

Witness our hands and seals this 24 day of May, 1922.

The condition of the above and foregoing obligation is such that, whereas, on the 24 day of May, 1922, the above bound Dravo-Doyle Company, a corporation, entered into a contract with the City of Fort Wayne, under which it agreed to furnish certain pumping machinery, at prices therein set forth, now therefore, if the above bound Dravo-Doyle Company shall fully and satisfactorily perform said contract, then this obligation shall be void, otherwise to remain in full force and effect.

Dravo-Doyle Company

by J. F. Berger

J. F. B.

Hartford Accident and Indemnity Co.

by L. H. Gault

Litt. Bough Co.

Section 1. Be it Ordained by the Common Council of the City of Fort Wayne, Indiana, that the contract heretofore to wit: on the 24th day of May 1922, made and entered into by and between the City of Fort Wayne by and through its Board of Public Works, and Dravo - Doyle Company, as fully set out in the preamble hereto, be, and the same is hereby in all things confirmed and approved.

Section 2. That this Ordinance be in full force and effect from and after its passage and approval by the Mayor.

Fred Horner,

Done at the Council Chamber in the City of Fort Wayne, this 13th day of June 1922.

We hereby certify: That the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 13th day of June 1922, by a majority vote of all the members present, did pass the Ordinance hereto attached, and known as General Ordinance No. 1091.

Frank A. Schramm,
President.

Otto W. Horning
City Clerk.

Presented to the Mayor for approval on the 17th day of June 1922.

Otto W. Horning
City Clerk.

Approved this 20th day of June 1922.

Wm. J. Horning
Mayor.

General Ordinance No. 1092

An Ordinance regulating the production, grading, labeling, handling, pasteurization, distribution, and sale of milk and cream and certain milk products; forbidding the handling and sale of adulterated, unwholesome, and misbranded milk or cream or such milk products; providing for the inspection of dairy farms and milk plants; the testing of milk; the reorganization of the personnel connected with the inspection of milk; providing a penalty for its violation and repealing all ordinances conflicting with the same, as amended June 20th 1922.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

Section 1

Section 1. Personnel and Salaries of Inspection Force.

The working force of the Board of Health connected with the inspection of milk and food products is hereby authorized as follows:

There shall be one Chief Dairy and Meat Inspector at a salary of \$2000.00 per year; one Assistant Inspector at a salary of \$1560.00 per year; and one Bacteriologist and Chemist at a salary of \$1800.00 per year.

Appointment, Qualification and Responsibility of Employees.

All of the employees above mentioned shall be properly appointed by the Board of Health. They shall be properly qualified for their duties, all such employees shall be responsible to the Secretary of the Board of Health for the performance of their duties. The Chief Dairy and Meat Inspector shall be a graduate of veterinary medicine and surgery and licensed to practice in the State of Indiana. The Bacteriologist and Chemist shall have pursued at least three years special study in bacteriology and chemistry in some recognized university.

Section 2

Section 2. Milk and Milk Products, Definition and Chemical Standards.

(a) Milk. Milk is hereby defined to be the clean natural secretion of one or more healthy cows, which are properly fed and cared for; excluding that obtained from cows within fifteen (15) days before or within ten (10) days after parturition, or such longer period as is necessary to render the milk colostrum free; and excluding that from cows whose placenta has been retained and excluding milk from such cows for a period of at least ten (10) days after such placenta has been completely removed, which contains not less than eight and one-half percent ($8\frac{1}{2}\%$) of solids not fat, and not less than three and one-half percent ($3\frac{1}{2}\%$) of milk fat.

(b) Milk Fat. ~~the~~

Milk or Butter fat is the fat of milk that has a Reichert Meissl number not less than twenty-four (24), and a specific gravity not less than 0.905 at 40° Centigrade.

(c) Cream.

Cream is that portion of milk, rich in milk fat, which rises to the surface of milk on standing or is separated from it by centrifugal force, is fresh and clean, and which contains not less than eighteen percent (18%) of milk fat.

Cream having less than thirty percent (30%) milk fat shall be sold as "light cream". Cream having more than thirty percent (30%) and less than forty percent (40%) milk fat shall be sold as "heavy" cream, and cream having more than forty percent (40%) milk fat shall be sold as "extra heavy" cream.

(d) Skimmed Milk.

Skimmed milk is milk from which all or a portion of the milk fat has been removed and which contains by weight not less than eight and one-half (8½%) percent of milk solids not fat.

(e) Buttermilk.

Buttermilk is hereby defined as (1) the product that remains when butter is removed from milk or cream in the process of churning, or (2) the product resulting from the souring or treatment of milk, cream, skim milk, dried milk, or milk products in any way so that it resembles the product defined in (1).

In the case of buttermilk produced from skim milk artificially soured by a lactic acid culture the term "cultured" shall be added to the term "Buttermilk", on the label of the container in which the product is sold. In the case of buttermilk produced from dried or powdered skim milk or dried or powdered buttermilk, the term "reconstructed" shall be added to the term "buttermilk", on the label of the container in which the product is sold. In all cases the true nature of the artificial buttermilk must be clearly stated on the label of each container thereof.

and in the production of the milk or cream of buttermilk shall be of such quality that, when fresh, it could be sold as Grade A Pasteurized or Grade B. Pasteurized.

Buttermilk shall be handled during and after manufacture in a manner approved by the Board of Health, and at no time from its manufacture until its delivery to the consumer shall its temperature exceed fifty degrees (50°) Fahrenheit.

(f) Pasteurization.

Whenever used in this ordinance the term "Milk, Skimmed Milk, or Cream, Pasteurized" shall be taken to mean and include milk, skimmed milk, or cream which has been heated to a temperature of not less than one hundred forty-five degrees (145°) Fahrenheit and held at such temperature for not less than thirty (30) minutes. No milk, skimmed milk, or cream shall be designated "Pasteurized", unless it shall have been heated in conformity with the provisions of this ordinance.

No milk, skimmed milk, or cream shall be pasteurized a second time.

Pasteurized milk shall be bottled only at the place of pasteurization.

(g) Adulterated Milk and Cream.

The term "adulterated" shall be taken to mean and include:

(1) Milk to which any substance other than milk or cream as defined by this ordinance has been added to or mixed with it or where any normal constituent of milk has been taken from it.

(2) Milk containing more than eighty-eight and one-quarter ($88\frac{1}{4}$) per centum of water fluids.

(3) Milk containing less than eleven and three-quarters ($11\frac{3}{4}$) per centum of milk solids.

(4) Milk containing less than eight and one-half ($8\frac{1}{2}$) per centum of solids not fat.

(5) Milk from which any part of the cream has been removed.

(6) Milk containing less than three and one-half ($3\frac{1}{2}$) per centum of fat.

(7) Cream which contains less than eighteen (18) per centum of butter fat, unless labeled "Reduced Standard Cream" and conforms to such label.

(8) Milk, or cream from milk, which has been taken from animals within fifteen days before or ten days after parturition.

(9) Milk, or cream from milk which has been drawn from animals fed on distillery waste, or any substance in a state of putrefaction, or any unwholesome food.

(10) Milk, or cream from milk which has been drawn from cows kept in a crowded or unhealthy condition.

(11) Milk, or cream which has been diluted with water or any other fluid, or to which has been added, or into which has been introduced any foreign substance whatever.

(12) Milk, or cream the temperature of which is higher than 50° degrees Fahrenheit or which contains an excessive number of bacteria. This requirement includes "Grade C Milk" that has been pasteurized.

(13) Milk, or cream from milk, which is produced in violation of this ordinance.

(h) Milk Producer.

A. Milk producer is any person, firm or corporation who raises or controls two or more cows, a part or all of the milk from which is for sale or is sold or delivered to another person, firm or corporation.

(i) Milk Distributor.

A. Milk distributor or milk dealer is any person, firm or corporation who has in possession for sale, offers for sale, sells or delivers

to another any milk or milk products for consumption or manufacturing purposes.

(j) Milk Consumer.

A Milk Consumer is any person, firm or corporation who buys or receives from another any milk or milk products for such food or manufacturing purposes as will fully and permanently remove such milk or milk products from further sale or transfer to another as such milk or milk products.

(K.) Dairy Farm.

A Dairy Farm is any place or premises where two or more cows are kept, a part or all of the milk or milk products from which is sold or delivered in bulk to any person, firm or corporation.

(L) Milk Plant.

A Milk Plant is any place, plant or premises or establishment where milk or cream is collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

Section 3

Section 3.

Sale of Adulterated Milk and Cream Prohibited.

No person, firm or corporation shall within the limits of Fort Wayne, Indiana, produce, sell, offer or expose for sale, or have in his, their or its possession, with intent to sell, any milk, skimmed milk, cream or butter milk which is adulterated within the meaning of this ordinance, or which does not conform to one of the various grades as defined in this ordinance; or cause or procure the same to be done by others.

Section 4.

Sale of adulterated milk and cream prohibited.

~~No person, firm or corporation shall within the limits of Fort Wayne, Indiana, produce, sell, offer or expose for sale, or have in his, their or its possession, with intent to sell, any milk, skimmed milk, cream or butter milk which is adulterated within the meaning of this ordinance, or which does not conform to one of the various grades as defined in this ordinance; or cause or procure the same to be done by others.~~

Section 4

Section 4.

Applications and Procedure.

Applications for licenses to sell milk or milk products in the City of Fort Wayne, Indiana shall be made to the Board of Health upon official forms furnished by said Board. Such official forms shall show the name of the applicant the location of his milk plant or plants, and of each of the dairy farms which are sources of supply, the grades of milk or cream the applicant proposes to sell, an agreement permitting the inspection of all premises from which milk is produced and handled, and any other information deemed necessary by the Board of Health.

Upon receipt of the application the Board of Health.

shall take appropriate steps in order to determine whether the provisions of this ordinance hereinafter set forth have been complied with, and whether the milk and milk products produced or handled by the applicant conform in character to the standards and requirements of the particular grade and designation under which they are intended to be sold.

A report shall thereafter be made by the said Board of Health recommending the granting or denial of the application, as the case may be. No such application shall be recommended approved until the source of the milk or milk products supply shall have been found to conform to the requirements and standards of this ordinance.

The Board of Health shall grant or deny an application within thirty (30) days from the date of such application. If the Board of Health grants such application, it shall be the duty of the Comptroller of such city, to issue a license to such applicant upon receipt of such application properly signed and approved by the Board of Health, and upon the payment of the fees provided elsewhere in this ordinance.

Section 5

Section 5.

Fees.

Each applicant for a license under this ordinance shall pay for each milk plant, dairy or dairy farm owned, maintained or operated by such applicant inside or outside the limits of Fort Wayne, Indiana, from ^{over} which such applicant obtains or proposes to obtain, sell or handle any of the grades of milk or milk products under authority of such license, an inspection fee of \$5.⁰⁰ and in addition to such fee of \$5.⁰⁰ shall pay, or cause to be ~~paid~~ paid an inspection fee of \$2.⁰⁰ for each additional dairy, or dairy farm from which applicant obtains or proposes to obtain any supply of such milk or milk products.

Section 6

Section 6.

Licenses.

No person, firm or corporation, including milk producers, milk peddlers, operators of milk plants, grocery stores or any other agency, shall sell any milk, skimmed milk, cream, sour cream, buttermilk, or modified milk within the limits of Fort Wayne, Indiana, without having first applied for a license to the Board of Health and without having obtained such license in accordance with the provisions of this ordinance.

Licenses to sell milk or milk products granted by the City of Fort Wayne are subject to the following conditions:

(a) Licenses may be revoked in the discretion of the Board of Health.
(b.) Licenses are not transferable. A license is issued to a particular person, firm or corporation and no other person, firm or corporation is authorized and empowered to sell milk or milk products under or by virtue of its terms.

(c.) Licenses will remain in full force and effect

for one year unless revoked by the Board of Health.
 (d) Willful or continuous violation of the provisions of this ordinance may result in the permanent revocation of the license.

(e) The bringing into the city of Fort Wayne, Indiana, or sale in said city of milk or milk products from unapproved or excluded sources of supply by the person, firm or corporation to whom the license is ~~issued~~ granted may result in the permanent revocation of such license.

Such license shall show the date when issued and shall be conspicuously posted in the office or any other appropriate place on the premises where such dairy or milk plant or milk products plant is maintained and operated.

Section 7

Section 7.

Exclusion of source of Milk or Milk Products Supply.

Upon the receipt of a written report of a duly authorized agent of the Board of Health showing that the provisions of this ordinance have not been complied with by the holder of a milk license, and the milk or milk products of the holder of a milk license have not been pasteurized, pasteurized, transported, handled, stored, kept, offered for sale, or sold in accordance with the regulations in the ordinance set forth, or have not conformed to the bacterial standards of the grades for which licenses were issued, or such milk or milk products are a source of danger to the community, the Secretary of the Board of Health shall issue a notice to the holder of such license to remedy or abate the conditions in question, and to appear before the Board of Health on the day named in such notice, and show cause why such license shall not be revoked. At any such hearing the Board of Health shall have the power to compel the attendance of witnesses, and the production of books, papers, or other evidence. If the license holder so notified shall fail to appear in accordance with said notice, or if upon such hearing the Board of Health shall find that such conditions have not been abated, or that the requirements of this ordinance are not being complied with by the holder of such license, then in such case said Board of Health shall revoke such license.

If upon the receipt of a written report of a duly authorized agent of the Board of Health that the milk or milk products, the holder of a milk license are a source of danger to the community, the Secretary of the Board of Health is hereby authorized and empowered to temporarily exclude all such milk or milk products from the city of Fort Wayne, Indiana, and no person, firm or corporation shall bring into, sell, offer for sale, or distribute in said city any such milk or milk products after receiving a written notice from said Secretary of the Board of Health notifying him of such exclusion.

Upon the receipt of a written report of a duly authorized

agent of the Board of Health showing that the regulations of the said Board have been complied with. The Secretary of the Board of Health is further authorized and empowered to permit of the bringing in, selling, offering for sale, or distributing in said city of any such milk or milk products, excluded as aforesaid, if in his opinion the regulations have been complied with, or the source of danger removed at any time after such exclusion. Provided, however, the said Secretary shall report in detail to the Board of Health every such exclusion and readmission and the reason therefor.

Any milk or cream in the possession of any person, firm or corporation for sale or delivery for human consumption within the limits of Fort Wayne, Indiana, which in any respect fails to conform to the requirements of this ordinance may be seized by any agent of the Board of Health, or by any public officer, and held subject to the lawful orders of the said Board, or if such milk is adulterated, unwholesome or unclean or unfit for human consumption, it may be promptly then or then or elsewhere destroyed by any agent of the Board of Health or any police officer.

Section 8

Section 8.

Milk, Skimmed milk and Cream shall conform to the grades and requirements; other Milk Products shall conform to requirements related thereto.

Any person, firm or corporation shall, within the limits of Fort Wayne sell, offer or expose for sale, or have in possession for sale or deliver or attempt to deliver to another for domestic or potable use (or shall so sell, offer or expose for sale, have in possession, or deliver under such conditions or in such place that it is apparently intended for such use, or may be used) any milk, skimmed milk or cream, unless such milk, skimmed milk or cream then and there conforms to requirements of one of the grades or classes of milk, skimmed milk, or cream hereinafter defined. The word "grade" as used anywhere in this ordinance shall be understood and construed to apply only to milk, skimmed milk and cream and their classification as defined in section ten (10), eleven (11), twelve (12), thirteen (13), and fourteen (14) of this ordinance. Domestic use, as the words are used or referred to anywhere in this ordinance shall be understood and construed to include the use in any restaurant, cafe, hotel, boarding house, bakery or confectionary, ice cream factory, school, hospital and home.

Section 9

Section 9.

Requirements for all grades of Milk

(a) Veterinary Examination.

Each and every grade of milk as defined in this ordinance shall be obtained only from cows free from disease. Grade A. Raw milk and Grade A. Pasteurized Milk shall be obtained only from cows free from Tuberculosis, as determined

by tuberculin tests, and when in the opinion of the Board of Health it shall be desirable, said Board may require that grade B. Pasteurized Milk shall be obtained only from cows free from tuberculosis as determined by tuberculin tests, tuberculin tests shall be made by a qualified veterinarian authorized by the state in which such tests and examinations are to be made and authorized by the United States Department of Agriculture, and having a certificate issued by the Board of Health of Fort Wayne, Indiana.

The veterinarian making the tuberculin tests and physical examinations provided for above shall, within forty-eight (48) hours after the completion of such tests and examinations, file with the Board of Health a report upon forms approved by said Board showing:-

- (1) Date of Examination.
- (2) Number of bovine animals in herd over six months of age.
- (3) Number of animals examined together with a description of each or other identification.
- (4) Physical condition of each animal examined.
- (5) Number of reactors, sick or diseased animals and disposition of each.
- (6) Number of cows milking.
- (7) Number of cows to calve within thirty (30) days from date of examination.
- (8) Any other information required by the Board of Health.

(b.) Medical Examinations.

Examinations to determine the physical condition of persons required to be examined by the provisions of this ordinance shall be made by a qualified physician, authorized by the state to practice medicine in which such physician resides, and having a certificate issued by the Board of Health authorizing him to make such physical examinations of dairy employees.

The physician making the examination provided for above shall, within twenty-four (24) hours after the completion of such examination, file a report with the Board of Health upon the forms approved by said Board showing:

- (1) Date of examination;
- (2) Number and names of employees examined;
- (3) Physical condition of each;
- (4) Presence of infectious or contagious disease in the families of both the owner and the employees.
- (5) Any other information required by the Board of Health.

The examination shall include a throat and temperature test.

Whenever any evidence suggests that any person producing or handling milk is a carrier of any infectious disease the Board of Health may

that such person be given, by a qualified physician, the special examination necessary to determine the presence of such infections.

(C) Procedure and Frequency of Bacterial Testing.
Bacterial tests of milk and milk products shall be made in conformity with the standard methods and recommended by the American Public Health Association.

The bacterial count of milk, skimmed milk and cream of any grade shall be determined from the sample of the raw material and finished products taken at the following points.

The point at which samples shall be taken for bacterial testing to determine whether milk for pasteurization conforms to the standard of a particular grade delivered by the producer to a pasteurizing and bottling plant in the country shall be the dump tank or receiving vat into which milk is poured from the cans received from the milk producers, and in which milk is received before pasteurization.

The point at which samples for bacterial testing shall be taken to determine whether milk received in the city, at bottling or pasteurizing tanks, conforms to the bacterial standard of a particular grade for milk for pasteurization shall be the dump tank or point at which the milk is received at such plant before pasteurization and bottling.

The point at which samples for bacterial testing shall be taken to determine whether milk delivered to the consumer conforms to the bacterial standard of a particular grade, shall be the retail delivery wagon, wholesale delivery wagon, grocery wagon, grocery store, milk store, other stores dispensing milk, restaurants or any other place, where milk is being delivered or served.

At least four (4) out of five (5) samples so taken within a period of not less than one week and not more than one month, each of such samples to be taken on different days, must come within the bacterial standard provided for such grade to qualify the milk, skimmed milk or cream for the grade. If less than four (4) out of five (5) such samples taken by a duly qualified representative of the Board of Health, and tested in the laboratory of the Board of Health, conform to the bacterial standard provided for such grade, the Secretary of the Board of Health shall, within 10 days after the completion of such tests issue a written notice to the owner or manager of the dairy or milk concern selling such milk, skimmed milk, or cream, stating the results of the tests made and notifying such owner or proprietor that further tests of the same number and within a similar period of time will be made in the immediate future, and that if such further tests show

that the milk, skimmed milk or cream does not conform with the bacterial standard provided for such grade then the license of such owner or manager or milk concern may be revoked in the manner provided in the ordinance in Section 7.

(d) Labeling Bulk Milk and Milk Products.

Each can or receptacle containing milk or ~~cream~~ milk products shall bear a tag or label stating, if shipped from a creamery or dairy, the location of the said creamery or dairy the date of shipment, the name of the dealer and the grade of the product contained therein. If such milk or milk products is to be pasteurized the tag or label shall bear the words "to be pasteurized at" (stating location of pasteurizing plant).

The words "skimmed milk" or "condensed skimmed milk" shall be clearly, legibly and conspicuously set forth in plain black letters upon the tag or label affixed to each can or receptacle containing skimmed milk, or condensed skimmed milk.

(e) Labeling Bottled Milk.

No words, statement, design, mark or device shall appear on that part of the outer side of any cap or on any bottle bearing the grade and designation of milk and milk products, unless authorized and permitted by the Board of Health. A proof print of such cap, showing the size and arrangement of the lettering thereon, shall be submitted to and approved by the said Board of Health before being attached to the bottle containing milk, skimmed milk or cream of the said grade and designation.

Where two caps are used all of the printed matter shall appear on the outer cap.

(f) Cooling.

All milk, cream, skimmed milk and buttermilk shall be cooled to a temperature of not more than fifty (50) degrees Fahrenheit, before being placed in the final container, and maintaining at such temperatures until delivered to the final consumer.

Provided that milk is bottled and pasteurized within one (1) hour after the completion of milking, and such milk need not be cooled until immediately following the completion of pasteurization.

(g) Only One Grade of Milk to be Produced, at Bottles or Canned at one Plant.

No grade of milk, skimmed milk or cream shall be produced, bottled, canned or placed in any final container in the same dairy, farm or milk plant where any other grade of milk, skimmed milk or cream is produced, bottled, canned or placed in other final container.

Section 10

Section 10.

Baby Milk

Standards and Requirements of "Grade A. Raw Milk" Skimmed Milk & Cream.

"Grade A. Raw" milk, in addition to other requirements of this ordinance, shall be obtained from cows free from disease, tuberculin tested annually and examined physically each month in the manner provided for this ordinance; and shall be produced and handled by persons free from disease as determined by a monthly medical inspection, made by a qualified physician and under such sanitary conditions that the bacterial count shall not exceed thirty thousand (30,000) colonies per cubic centimeter at the time of delivery to the consumer.

Milk in this grade shall, immediately upon being drawn from the cow, be cooled to a temperature not higher than fifty (50) degrees Fahrenheit, and shall within one hour after the completion of milking, be put and kept in the closed final containers.

"Grade A Raw" milk, skimmed milk and cream shall be sold in bottles only and be delivered to the consumer within twenty-four (24) hours after production.

Producers of "Grade A. Raw" Milk shall be provided with a steam boiler or independent supply of boiling water adjacent to the milk house.

Caps of all bottles containing "Grade A Raw" milk, skimmed milk, or cream shall be white with black lettering with the grade and designation "Grade A Raw" milk, skimmed milk or cream as the case may be, the name and address of the dealer, the place of production and the day of bottling clearly and the claim - suitable for infant feeding legibly and conspicuously displayed on the outer side thereof.

Section 11

Section 11.

Standards and Requirements of Grade A Pasteurized Milk, Skimmed milk, and cream for infants and children.

"Grade A Pasteurized" milk, skimmed milk, and cream in addition to other requirements of this ordinance shall be obtained from cows free from disease and tuberculin tested annually and examined physically every six months in the manner prescribed in this ordinance and shall be produced and handled under such sanitary conditions that the bacterial count shall at no time exceed one hundred thousand (100,000) colonies per cubic centimeter when delivered to a pasteurization station in the country and shall not exceed two hundred thousand (200,000) colonies per cubic centimeter when delivered to a pasteurizing and bottling station in the city.

Milk in this grade shall immediately upon being drawn from the cow, be cooled to a temperature not higher than fifty (50) degrees Fahrenheit.

All milk and skimmed milk shall be pasteurized and the bacterial count of the finished

product as delivered to the consumer shall not exceed thirty-thousand (30,000) colonies per cubic centimeter.

Milk, skimmed milk and cream of this designation shall be delivered to the consumer within twenty-four hours after pasteurization.

Milk, skimmed milk and cream of this grade and designation shall be delivered to the consumer in bottles unless otherwise ordered and permitted by the Board of Health.

The caps of all bottles containing "Grade A Pasteurized" milk, skimmed milk or cream shall be white with black lettering with the grade and designation. "Grade A. Pasteurized" milk, skimmed milk, or cream as the case may be, the name of the dealer, the day and hour between which pasteurization was completed, and the place where pasteurization was performed, clearly, legibly and conspicuously displayed on the outside thereof.

Section 12

Section 12

Standards and Requirements of "Grade A. Pasteurized" Milk, Skimmed Milk and Cream for Adults.

"Grade B. Pasteurized" milk, skimmed milk or cream in addition to other requirements of this ordinance shall be obtained from cows free from disease, and the Board of Health shall have the power to require any cows from which this grade of milk is obtained be tuberculin tested annually, and examined physically each year in the manner prescribed elsewhere in this ordinance, and shall be produced and handled under such sanitary conditions that the bacterial count shall at no time exceed three hundred thousand (300,000) colonies per cubic centimeter when delivered to a pasteurizing plant station in the county, and shall not exceed one million (1,000,000) colonies per cubic centimeter, when delivered to a pasteurizing and bottling station in the City.

All such milk and skimmed milk shall be pasteurized and the bacterial count of the finished product as delivered to the consumer shall not exceed fifty thousand (50,000) colonies per cubic centimeter.

Milk, skimmed milk and cream of this designation shall be delivered to the consumer within thirty-six (36) hours after pasteurization.

The caps of all bottles containing "Grade B. Pasteurized" milk, and the caps and tags attached to all cans containing "Grade B. Pasteurized" milk, skimmed milk or cream shall be white with green lettering, with the grade and designation "Grade B. Pasteurized" milk, skimmed milk or cream as the case may be, the name and address of the dealer and the day, hour between which, and place where pasteurization was performed, clearly, legibly and conspicuously displayed on the

outer side thereof. The caps of all neatly bottled, containing "Grade B. Pasteurized" cream or skimmed milk shall be white with green lettering with the grade and designation "Grade B. Pasteurized" cream or skimmed milk and the name and address of the dealer and the day and place where bottled, clearly, legibly and conspicuously displayed on the outer side thereof.

Section 13

Section 13.

Standards and Requirements of Grade C Pasteurized "milk, skimmed milk and cream for packing and manufacturing purposes only.

Grade C Pasteurized "milk, skimmed milk, and cream, in addition to other requirements of this ordinance, shall be obtained from cows free from disease, and shall exclude all milk having bacterial count which exceeds (500,000) one million colonies per cubic centimeter when delivered to the pasteurizing station.

All such milk, skimmed milk shall be pasteurized and the bacterial count on the finished product shall not exceed fifty thousand (50,000) colonies per cubic centimeter when delivered to the consumer.

Milk, skimmed milk, and cream of this grade and designation shall be delivered to the consumer in cans only, within thirty-six (36) hours after pasteurization.

The tags attached to all cans containing "Grade C Pasteurized" milk, skimmed milk or cream (for manufacturing purposes) shall be white with red lettering with the grade and designation "Grade C Pasteurized" milk, skimmed milk or cream (for manufacturing purposes only), the name and address of the dealer and the day and place where pasteurization was performed, clearly, legibly and conspicuously displayed thereon.

Section 14

Section 14.

Cream

Cream shall be graded in the same grade as the milk from which it is derived and shall conform to all of the requirements of this ordinance, applicable to the particular grade of such milk, except that the bacterial count, when delivered to the consumer, allowing for eighteen (18%) percent cream of a particular grade shall in no case exceed five times the bacterial standard of milk of the same grade when delivered to the consumer. Cream containing other percentages of fat shall be allowed a modification of this bacterial standard in proportion to its fat percentage.

Cream containing less than eighteen percent (18%) of milk fat shall be designated as "Lower Standard Cream". The cap, tag or label attached to a container of such cream shall bear the words "Lower Standard Cream" and shall show the true percentage of milk fat of such cream.

Section 15

Requirements for the Production and handling of milk on dairy farms.

(a) Health of animals.

A physical examination and tuberculin test of all cows and other bovine animals six months of age or more in the herd or which come in contact with the herd of any dairy farm supplying milk to Fort Wayne, Indiana, shall if deemed desirable by the Board of Health, be made at least once every 12 months, by a veterinarian holding a certificate as provided in section 9 (a) and a copy of the result of such examination shall be filed by said veterinarian with the Board of Health. No license shall be granted until the herd of the applicant for license or the dairy herd supplying milk or which are to supply milk to such applicant shall have been so examined and tested, and the required report filed with the said Board. Every diseased animal shall be removed from the herd at once and no milk from diseased cows shall be offered for sale. Each tested animal shall be tagged with a metal tag on the right ear with a number and a full record of the test kept on file in the office of the Board of Health. All reacting animals shall be isolated at once and excluded from the premises within 10 days. All animals failing to pass the tuberculin test shall be branded with the letters T.B. on the left jaw and removed at once under the direction of the Health Officer. Each letter in the brand shall not be less than two inches high and one and one-half inches wide. After the removal of any tuberculous animal from a dairy, the premises shall be disinfected, in a manner provided for by the Board of Health. Only such cows shall be admitted to the milking herd as have not reacted to a diagnostic injection of tuberculin, and have passed the physical examination.

The chief dairy and meat inspector shall have power to order a physical examination or tuberculin test made upon any bovine animal at any time which he deems necessary to protect the safety of milk, which is sold or to be sold in Fort Wayne, Indiana.

(b) Sick animals

Sick animals or animals showing signs of tuberculosis, contagious abortion, mastitis, manure may abscess, disease of the udder or test or actinomycosis (lumpy jaw) or any other evidence of ill health, shall be at once removed from the herd and quarantined, and the milk of all cows sick or showing any evidence of ill health shall be discarded from the market milk.

Milk drawn from animals within fifteen days before or ten days after parturition shall not be sold or included in the market milk.

(C) Bloody and Stringy Milk.

If the milk from a cow is bloody, stringy, or thick, or it has an unnatural appearance, or if manure or other dirt gets into it during milking, it shall be discarded, and the pail washed and sterilized before it is used again.

(d)

Feed.

Decaying silage, fermenting brewer's grain, fermenting malt, distillery waste, second feed, garbage, swill, refuse, or any other unwholesome feed shall not be fed to cows.

The feed provided for the dairy herd shall be wholesome, sweet and clean and of such nature as to give no odor, to or otherwise injuriously affect the taste or character of the milk.

No dusty feed shall be given within one hour previous to milking.

All feed shall be kept in an apartment separate from the animals.

(e) Bedding.

Clean bedding only shall be used. Dusty or moldy hay or horse manure shall not be used for bedding.

(f)

Water.

Drinking water for cows shall be clean and fresh. Wells, ponds and springs used to furnish water shall be free from pollution with sewage, drainage or other contaminations injurious to the health of cows or the purity of the milk. Watering troughs and drinking buckets shall be kept clean.

(g)

Cleanliness of cows.

Cows shall be reasonably clean while milking. Dirt on back, particles of manure on sides or udder or other foreign matter on the body which might gain access to the milk pail, shall be cleaned off before milking.

Cow Stables.(a) Location.

Stables shall be free from contaminating surroundings. Location shall be well drained. Chicken coops, pig pens, stagnant water, mud-holes, manure piles, or privies within one hundred feet (100) are contaminating surroundings. If horses are kept in the same barn with cows a tight partition shall separate them from the cows.

(b)

Floors.

Floors and gutters shall be of such material as to remain being kept in a sanitary condition, by scraping, sweeping, or washing; kept tight and in good repair; and sufficient to drain properly. Bark floors are prohibited. Gutters shall be of suitable depths.

(c)

Walls and ceilings.

The construction of walls and ceilings shall be of material having smooth and tight finish. Walls shall be kept free from manure. Walls and ceilings shall be whitewashed or painted once a year and kept clean and sanitary.

Section 16.

(d) Ventilation

All dairy barns shall have an efficient system of ventilation either by means of windows or ventilating flues.

(e) Light

All dairy barns shall have a sufficient number of windows to provide adequate light to the premises which shall be kept clean at all times and so constructed as to be easily opened.

(f) Equipment of Stable.

The cow stable shall be equipped with suitable stanchions or bar stalls to confine the cows during milking time.

Milking stools shall be kept clean.

(g) Cleanliness of Stables.

No accumulations of manure, urine or stagnant water or other filth shall be permitted in or within fifty feet (50) of said stalls, stanchions or places where milking is done.

Cow manure shall be removed from cow stalls twice daily. Lickings, walls, ledgers and stanchions in the cow stable shall be kept clean, and windows shall be washed as often as is necessary to keep them clean. Horse manure shall not be used in cow stables for any purpose. The milking barn used for housing or stabling of milk cows shall not be used for housing or stabling of any animals other than milk cows, except as otherwise provided.

(h) Roof

The roof of the cow stable shall be watertight.

(i) Barn Yard.

No manure or rubbish shall be allowed to accumulate in the barn yard. The barn yard shall be sufficiently drained to keep it reasonably dry.

Milk Utensils

(a) Construction.

Utensils shall be of such construction as to be easily cleaned. Joints, seams and rims of utensils shall be smooth and entirely filled with solder. No milk vessels shall be used which are old, rusty or discolored. Vessels used for carrying milk shall be used for no other purpose.

(b) Buckets.

All milk buckets used by milkers for drawing milk from the cows shall be of small top design, approved by the Board of Health.

(c) ~~Milk~~ Cans.

Milk ^{and carrying} cans shall be of smooth metal with inside seams soldered flush.

(d) Strainers.

The use of wire mesh strainers is forbidden. Metal holders used for the support of cotton, linen or cloth strainers shall be of such construction as to permit easy cleaning and proper sterilization.

(2) Aerators and Coolers.

Mechanical coolers, if used, shall be of a type and construction easily cleaned, with joints and seams soldered flush. They shall be provided, with metal covers which will protect the milk while running over the aerator from dust and contamination.

(3) Stirring Rods.

Stirring rods, if used, shall be of metal construction with smooth surface and seams soldered flush.

g) Milking Machines.

Mechanical milking shall be of a pattern approved by the Board of Health. They shall be of sanitary construction and capable of being easily taken apart.

Section 10.

Milk House.(a) Construction

Every dairy farm shall be provided with a milk house, which shall be separated from the stable and dwelling house, and shall be kept clean and not used for any purpose except the handling of milk.

The milk house shall have a tight floor, preferably of cement or other impervious material. It shall be kept clean and in good repair. The floor shall have sufficient slope to provide proper drainage. A floor drain shall be provided and shall be properly trapped and connected to a sewer connection or outlet.

The walls and ceilings of the milk house shall be of tight and smooth construction which permits easy cleaning. If the milk house is made of studding, for the walls shall be painted with a high grade paint of a light color. Walls and ceilings shall be kept clean at all times.

Sufficient windows shall be provided for adequate light; be properly screened; be so constructed that they can be opened; and kept clean.

Doorways shall be provided with a self-closing screen door during fly time. The solid roof of the milk house shall be kept closed when there is opportunity for dust to be blown into the milk house thereby contaminating the milk and utensils.

The milk house, in which the milk is stored or prepared for sale, shall not be located in proximity to any outhouse, water closet, or other contaminating surroundings.

(b) Cooling Vats.

Cooling vats of sufficient depth to immerse the cans in water shall be provided.

Vats shall be of tight construction and of such material as permits ready cleaning. Vats shall be kept clean.

Section 11.

Methods.(1) Milking

Cow's flanks, udders and teats shall be kept clean. If necessary udder and teats shall be washed with clean water and dried with a clean cloth immediately before milking.

Milkers shall wash their hands with soap and

water and dry them with a clean towel before milking. Milkers shall keep their hands dry and clean during milking. Milkers shall wear clean outer garments ^{during} while milking.

Only covered milk pails shall be used.

Milk shall be poured into cans in a clean place, preferably in the milk house. The mouth of milk cans and ^{and} strainers shall be protected against dirt, preferably by a cheese cloth cover. The pouring of milk into cans placed in the stable is prohibited.

When the milk house is adjacent to the stable, cans shall be filled in the milk house. When the milk is at a distance from the stable, cans shall be filled outside the stable in a clean sheltered place and shall be removed to the milk house immediately after milking.

When milk is cooled at a shipping station, cans shall be delivered to the station within two hours after the completion of milking.

If filth gets into the milk by accident, the entire contents of that pail shall be discarded. The pail shall not be used again until it has been thoroughly cleaned as provided in this ordinance.

(b) Cooling.

Grade A Raw milk shall be cooled as provided in Section 10.

Milk to be sold as Grade A Pasteurized milk shall be cooled within a period of two hours after milking to a temperature of fifty (50) degrees Fahrenheit or below on dairy farms.

Milk to be sold as Grade B Pasteurized milk shall be cooled within a period of two hours after milking to a temperature of not more than sixty (60) degrees Fahrenheit on dairy farms provided however that morning's milk and ^{night's} milk of both Grade A and B classification need not be cooled between the time of delivery to the creamery shipping station or pasteurizing plant if such delivery is made within a period of two hours after milking and the milk is then immediately cooled by the creamery, shipping station or pasteurizing plant to a temperature of 50 degrees Fahrenheit or below.

Grade A cream and Grade A skimmed milk for pasteurization, all Grade B cream and Grade B skimmed milk for pasteurization, all Grade C cream for pasteurization shall be immediately after separation from milk by a centrifugal separator, be cooled to a temperature of not more than sixty (60) degrees Fahrenheit if said separation takes place on a dairy farm where produced and maintained at that temperature until delivered to a creamery, shipping station or pasteurizing plant, provided however that such cream and skimmed milk need not be cooled between the time of separation and the time of delivery to a creamery, shipping station or pasteurizing plant if such

delivery is made within a period of two hours after separation, and such cream and skimmed milk are then immediately cooled by the creamery, shipping station, or pasteurizing plant, to a temperature of fifty (50) degrees Fahrenheit or below, until pasteurized.

It is the intent, however, that such cream or skimmed milk are separated in the pasteurizing plant and are pasteurized immediately after separation of such cream and skimmed milk are pasteurized immediately after they are received from the producers at the pasteurizing plant; they need not be cooled by the pasteurizing plant previous to pasteurization.

All cream and skimmed milk after pasteurization shall be cooled to less than fifty (50) degrees Fahrenheit immediately after pasteurization and maintained at a temperature of fifty (50) degrees Fahrenheit or below until delivered to the consumer.

The stirring of milk during the cooling period shall be done only with a metal stirring rod which has been properly cleaned and sterilized each time before it is used.

All producers shall keep night's milk and morning milk, and night's cream and morning's cream separate and deliver them to the creamery, shipping station or pasteurizing plant in separate containers.

The water in cooling vats shall be of sufficient depth to submerge the necks of cans. Water in the cooling vats shall be cooled as frequently as is necessary for proper cleanliness. Cooling vats shall be kept clean by frequent scrubbing.

(C) Cleaning and Sterilizing Utensils

All utensils which have contained milk or have been in contact with milk shall be cleaned in the following manner:

1. Rinsed with cold water immediately after use.
2. Scrubbed with brush and alkali solution.
3. Rinsed with clean water.
4. Sifted with boiling water or sterilized with steam.
5. Utensils shall be stored in clean place until used again.
6. Cloth strainers shall be boiled for one half hour to render them sterile. No cloth shall be used more than once unless it has been sterilized or is again sterilized.

(D) Milking Machines

Milking machines shall be cared for in the following manner:

1. Rinsed with cold water immediately after use.
2. Rinsed with hot alkali solution.
3. Rinsed with clean boiling water.
4. Hung up to dry or kept in a fresh chlorine or salt solution when not in use.
5. When used and thoroughly cleaned after every milking.

Section 23.

Employees

When any person engaged in the production,

storage, or distribution of milk is suffering from any contagious, or infectious, or communicable disease, or when such disease exists in the residence of such person, or among his employees or their associates, or within any building used in any way in the milk business, no milk shall be sold or delivered from such dairy or milk establishment except by permission of and in the manner prescribed by the Board of Health. No person who has anything to do with the production or handling of milk shall enter any place where exists any contagious disease or have any communication with any person who is an occupant of such infected place. Every milk producer or handler who sells milk directly to the consumer shall promptly notify the Board of Health of any case of communicable disease which exists in his family or among his employees or their associates. Every milk producer who sells his product to a middleman for resale shall promptly notify such dealer and also the Board of Health of the existence of any communicable disease as above said and said dealer shall at once notify said Board.

Section 21.

Water Supply.

Every person maintaining a dairy herd or dairy farm shall provide for the use thereof an adequate supply of water of good quality and proper for maintaining the health and good condition of the cows necessary purposes connected with the dairy subject to approval by the Board of Health.

All sources of contamination of water in and about the dairy or dairy farm inclosures and pastures for the cows shall be abated.

The Board of Health shall cause an examination of the water to be made if it considers it necessary, and shall have power to forbid the use of contaminated water.

All wells shall be equipped with pumps.

Ponds to which cows might have access shall be fenced off to prevent cows from wading therein.

Removal of Refuse.

All persons, firms, or corporations who own or keep a dairy farm supplying milk to Fort Wayne, Indiana, shall remove any accumulation of refuse matter of offal, as frequently as is necessary so as not to endanger the public health.

Section 22.

Toilets

Privies shall have tight fly proof vaults, self-closing lids and be maintained in a clean and sanitary condition.

Privies shall not be located within 100 feet of the dairy farm, milk house or source of water supply.

Requirements for creameries, shipping stations, farms and city bottling, and pasteurizing plants supplying milk and milk products to Fort Wayne, Indiana.

Employees.

No person who is affected with any infectious

Section 24

contagious, or communicable disease, or who resides, boards, or lodges where he comes in contact with any persons affected with such disease, or who is a carrier of the disease germs of typhoid fever, scarlet fever, diphtheria, tuberculosis, septic sore throat, poliomyelitis or dysentery, shall be employed in any creamery, shipping station, bottling or pasteurizing plant, or ice cream plant or shall handle or deliver or be permitted to handle or deliver milk or milk products or milk or milk products in any manner whatsoever.

Notice shall be sent to the Board of Health within twenty-four (24) hours by the owner, operator, or manager of such plant of the presence of any of the diseases mentioned in any milk handling or in the family of anyone employed in milk handling. All persons employed in any bottling or pasteurizing plant or where ice cream is manufactured for sale, shall be free from disease as determined by a monthly physical examination by a qualified physician as provided for in section 9 (b).

Clean washable outer garments shall be provided for and worn by employees while handling milk and milk products.

Section 25.

Buildings

(a) Location.

No milk plant shall be located within the city limits where there are contaminating surroundings which, in the opinion of the Board of Health, would endanger the public health.

The location of a bottling plant outside of the City limits shall be subject to the same restrictions as governs milk houses or dairy farms.

(b) Floors.

The floors of all rooms in which milk is handled shall be smooth, impervious and graded to permit the quick removal of waste fluids to properly constructed and trapped drains.

(c) Walls and ceilings.

All walls and ceilings of rooms in which milk is exposed to the air shall be smoothly finished, kept in good repair and frequently painted with a paint of light color.

(d) Doors and windows.

All doors must be provided with self-closing devices. All doors and windows opening into the outside air, shall be properly screened to prevent the access of flies.

All rooms shall be well lighted and ventilated.

(e) Milk receiving room.

A separate room shall be provided for receiving and dumping milk.

(f) Wash Room.

A separate room for washing, cleaning and sterilizing receptacles shall be provided.

(g) Bottle Filling Room.

A separate room for the filling and capping of bottles shall be provided. Cans of washed bottles may be stored in this room.

(h) Refrigerator

Cold storage rooms shall be provided with proper drainage, and cleaned as frequently as is necessary to prevent bad odors.

(i) Plumbing.

All plumbing, connected with the milk plants, shall be installed in accordance with the city ordinance governing plumbing. Sewers connected with such milk plant drains shall be properly trapped and ~~drained~~ ventilated.

(j) Boiler Room.

All boiler and engine rooms shall be separated from milk handling rooms by tight partitions and self-closing doors.

(k) Protection against Oil.

All bearings and hangers for shafting shall be provided with suitable oil cups or drip pans.

(l) Toilet Facilities - Water Closet Compartments.

The door or doors of the water closet compartments shall be self-closing. Where the water closet is in direct communication with the room in which milk is prepared or stored, if required by the Board of Health, a suitable and properly lighted vestibule shall be provided. The door of the vestibule shall be self-closing. All water closet fixtures, water closet compartments and vestibules shall be maintained in a clean and sanitary condition and in good repair. Every water closet compartment except when provided with mechanical means of ventilation, shall have a window, at least one foot by three feet between sash-heads, opening to the external air, and the window shall be made so as to readily open or an opening connected with the external air measuring at least 144 square inches for each water closet or urinal, with an increase of 72 square inches for each additional water closet or urinal.

Privies.

Suitable toilet facilities shall be provided for the use of employees, but no water closet shall communicate directly with any room used for handling milk or milk products, or with any room in which utensils are washed. Privies or earth closets shall be situated at least one hundred feet (100) from the building and shall have fly-proof vents, seat covers shall be self-closing.

(m) Locker and Wash Room.

All milk plants shall provide a locker, with individual lockers for employees. Such rooms shall be separated from any room in which milk is handled by at least one self-closing solid door, and shall be equipped with hot running water, soap, and sanitary

Section 26

Towels of a type approved by the Board of Health.
The use of a common towel is prohibited.

Machinery and Equipment.

(a) Construction of Apparatus.

All weigh cans, strainers, mixers, and similar apparatus shall be of sanitary construction, all angles and joints being smoothly rounded. Vats shall be provided with closely fitting metal covers of similar construction. All pumps and pipes shall be of sanitary construction and so arranged that they can easily be taken apart for cleaning. The use of tightly soldered elbow joints is prohibited.

(b) Condensing Apparatus.

The Board of Health shall have power to order it is hereby made their duty to condemn and make all cans, utensils, apparatus, or other vessels in which milk is handled, when same have become unfit for the storage or handling of milk.

(c) Piping

All milk piping shall be of the type known as "sanitary milk piping" in couples short enough to be taken apart and cleaned with a brush.

(d) Cooler

Surface cooler, unless located in a room used only for cooling milk, shall be protected by suitable metal or glass covers.

(e.) Bottling Machine.

The apparatus or device used in bottling milk or capping milk bottles shall be constructed that the milk and caps used in the process can not come in contact with human hands. The apparatus or device shall be subject to the approval of the Board of Health.

(f) Storage of Caps.

Caps of bottles before use shall be stored and kept in such manner as to be protected against contamination until used. Caps shall be purchased and stored only in sanitary tanks.

(g) Washing Facilities

Adequate facilities for the sterilization of all utensils and containers used in the handling and storage of milk and milk products shall be provided. Can washing and bottle washing machines shall be of a type approved by the Board of Health.

(h) Racks or Can Dryers.

Racks constructed preferably of metal, shall be provided for the storage of washed cans in an inverted position until filled, unless dryers are employed after the process of cleaning and sterilization of cans and can covers.

(i) Storage of Washed Bottles

All washed bottles shall be stored in an inverted position, and protected from contamination until filled.

(j) Pasteurizing Apparatus.

The pasteurizing equipment shall consist of a heater, holder and cooler or other apparatus capable

of performing in an efficient manner the operation of heating, holding and cooling for the standard time and temperature.

Every pasteurizing apparatus shall be equipped with an automatic temperature recording device, which will indicate the temperature to which the milk or milk products have been heated, the temperature at which said heating has been performed, and if possible the length of time for which the milk products or milk are held at required temperature.

Where a continuous holder is used, the temperature recording thermometer must be attached at the highest point of the outlet pipe. The temperature records shall be made daily, and kept on file for a period of sixty (60) days.

(A) Standard Thermometer Required.

Every milk plant, pasteurizing milk for distribution in Port Wayne, Indiana, shall have, in addition to such other thermometers as are herein provided for, a standard thermometer certified to by the United States Bureau of Standards, against which all other thermometers, used in such plant, shall be checked as often as is found necessary to ensure correct temperature control.

(B) Wooden Plugs Prohibited.

Wooden Plugs shall not be used for stoppers for containers of milk and milk products.

Processing.

(a) Containers to be Cleaned and Sterilized.

All containers, such as bottles, cans or other containers, in which milk or milk products are stored, handled, transported or sold shall be properly cleaned and sterilized after being used; and no bottles, vessels or containers shall under any circumstances be used a second time, unless they shall have been after the previous use thereof cleaned and sterilized. Such cleaning and sterilizing shall not be done, nor shall any containers be filled in a stable, in any rooms used for sleeping purposes, or in any room having a direct connection with ~~any~~ such stables or rooms or with water closet compartments, unless such water closet compartments conform to regulations.

All milk cans shall, before being returned to the dairy farm, be properly rinsed out, cleaned and sterilized.

Empty bottles and cans shall be excluded from rooms in which milk is pasteurized, cooled and bottled, until after they have been washed and sterilized.

It shall be unlawful for any person to whom any milk or cream is delivered, to fail or neglect immediately after emptying the receptacle in which such milk or cream shall have been

delivered, to rinse or cause to be rinsed thoroughly such receptacle, to free the same from all milk or cream.

Milk bottles, milk cans, or other receptacles for milk shall not be used for any purpose other than containing milk.

Milk caps shall be used for capping containers of milk and for no other purpose.

(b.) Cleaning of Apparatus.

All weigh cans, storage vat, mixing vat, pumps, pipes and other apparatus used for handling milk and milk products, shall be thoroughly cleaned and sterilized after being used and no such apparatus shall under any circumstances be used a second time until it shall have been after the previous use thereof, so cleaned and sterilized.

All apparatus used in the pasteurizing of milk, skimmed milk, and cream shall be sterilized immediately before the process is commenced.

(c) Cooling and Storage of Milk.

All milk received shall be immediately cooled to a temperature of fifty (50) degrees Fahrenheit or less, and maintained thereat. Excepting milk which is pasteurized immediately upon receipt.

Milk or cream in bottles or cans shall not be immersed in water or given a water bath so that the caps or covers come in contact with the water. The cans and bottles containing milk shall not be placed in the same water bath.

(d) Filling Bottles and Containers.

Bottles or other containers shall be filled with in a clean room provided for this purpose, and shall be filled by such methods as shall be approved by the Board of Health, and shall not be removed from this room until after they are stopped, capped or closed.

All milk intended for delivery to consumers shall be bottled except in case of consumers receiving two (2) gallons or more at one delivery, in which case it may be delivered in sealed cans which have been sealed at the dairy or pasteurizing plant, except grade A milk, skimmed milk and cream, as provided in Section 10. All milk intended for service to patrons of restaurants, hotels, hospitals, stores, schools, boarding houses, and other public eating places shall be served in the bottles filled at the dairy or pasteurizing plants.

No driver on a milk route, or any other unauthorized person, grocery store, drug store, or restaurant shall have in possession or use any caps for milk bottles.

Any milk which overflows in the process of pasteurization or of bottling, and thereby becomes machine contaminated, is hereby declared unfit for human consumption and shall not be sold as fluid milk or in the form of any milk product for human consumption. Machine contaminated

milk shall be removed from the plant or destroyed.

No person shall transfer any milk from any can, bottle or receptacle to another on any street, alley, or thoroughfare, or upon a delivery wagon, or other vehicle or in any place except in a milk plant or creamery having a permit issued by the Board of Health.

All bottles shall be capped by machinery approved by the Board of Health, and the capping of bottles by hand is hereby prohibited.

Section 28.

Storage of Milk and Milk Products in Undesirable Premises.

Milk or milk products shall not be handled, stored, or kept in any stable, nor in any room which is used for sleeping, dressing, or toilet purposes, or which has direct communication with any such room, nor in any room where sickness exists or which is occupied by a sick person, nor in any room which has been exposed to any contagious or infectious disease until such room has been thoroughly and properly disinfected, nor in any room or place which is in any respect unclean or insanitary.

Section 29.

Sanitary Safeguards.

The water supply shall be uncontaminated, easily accessible, and sufficient for all purposes. The water supply shall be protected against surface drainage. No privy, cesspool, stable manure, or other source of contamination shall be located in such proximity to the source of the water supply as to render contamination of the same possible.

Section 30.

Hot Water.

All establishments in which milk is handled shall be provided with ample equipment for keeping water to the boiling point, and for convenient use of the same.

Section 31.

Cleanliness of Buildings and Vehicles.

Every person or corporation owning or keeping a milk plant shall maintain the premises thereof free from any accumulation of refuse matter or offal. If any milk plant or milk delivery vehicle, providing and distributing milk or milk products within the city shall be found in an unsanitary condition by reason of the violation of this ordinance, or the refusal or neglect to comply with the rules and regulations of the Board of Health, or if in the opinion of said Board, there is danger of the spread of contagious or infectious disease through such milk plant or milk delivery vehicle or the products thereof, or that the public health would be endangered by a supply of milk and milk products therefrom, then in the discretion of said Board they may order such milk plant closed, and the use of such vehicle discontinued until all danger to the health of the public shall have been removed.

Section 32.

Animals Banned from the Premises.

No cats, dogs, or other animals shall be allowed be permitted in rooms where milk is handled or stored.

Section 33

Smoking and Spitting Prohibited
Smoking and spitting is prohibited in any room used for handling loose milk or in any room in which milk utensils are stored. Spitting on any wagon used in the delivery of milk is prohibited.

Section 34.

Tasting of Milk

Milk shall not be tasted by taste in any bottling plant, milk house, or other place, in any way that may render it liable to contamination.

Section 35.

Delivery Wagons and Trucks.

All vehicles used for hauling or distributing milk or milk products shall be kept neat and clean, and in good repair, and shall not be used for hauling manure, slops, or anything else of an objectionable nature, and shall be provided with a covered top of canvas or other material which will protect all vessels containing milk or milk products from the sun and dust.

Each vehicle used for hauling and distributing milk or milk products shall have ~~been~~ painted on each side, in neat letters not less than three inches high, the name of the owner, person, or corporation to whom the milk permit was ~~granted~~ granted, and the number of the wagon.

Section 36.

Sale of Skipped Milk Prohibited.

The sale of "skip" milk is hereby prohibited. No person shall have upon any wagon used for the transportation and delivery of milk or milk products any dipper or other utensil which may be used for the purpose of transferring milk or milk products from one container to another.

Section 37

Milk Tickets.

No person shall buy milk with tickets to any purchase of milk other than tickets in coupon or book form, nor use again tickets that have been previously used.

Section 38.

Drinking Milk from Cans Prohibited.

No person shall drink from any vessel or utensil, or the cover thereof, which is used for the delivery thereof, which of milk except from bottles for individual service, nor shall any tank, can, bottle, or utensil used for the purpose of delivering milk be used for any other purpose.

Section 39.

Milk Cans shall not be left on Sidewalks.

Milk cans containing milk, or empty, delivered to or received from bakeries, delicatessen stores, restaurants, hotels, or other similar places, shall not be left upon the sidewalk or street.

Section 40.

No water, preservatives, or adulterants to be upon any wagon.

No water, preservative, or other adulterant shall be carried upon any wagon used for transporting and delivering milk or milk products.

Section 41

Miscellaneous Requirements.

Removal of Milk from Interurban and R.R. Platforms

All milk shall be removed from the interurban or railroad platforms or other point of entry to Port Wayne, Indiana by the person, firm, or corporation

to whom it was shipped within one hour from the time of unloading, and transported immediately to the City milk plant of such person, firm, or corporation, unless immediately delivered to the consumer.

Section 42.

Sale of Milk in Restaurants and Hotels.

No person, firm or corporation shall serve any milk to be drunk on the premises where served, unless such milk is contained in individual sealed receptacles, containing only the quantity of milk intended for use of the persons served, and bearing the authorized label showing the grade of such milk.

Section 43.

Delivered to Quarantined Homes.

No person shall deliver milk to or remove any milk bottles or receptacles from a dwelling where any communicable disease exists, until authorized by the Board of Health, and then only in the manner prescribed by the Board.

Any person in charge of premises quarantined because of contagious diseases, who receives or orders to be received any receptacle containing milk or other dairy products shall, immediately upon emptying such receptacle, cause the same to be thoroughly cleaned, sterilized, and stored as directed by the Board of Health until released ~~from~~ as provided by their orders.

Section 44.

Returned Bottles.

No person shall place or permit to be placed in any vessel, utensil, or vehicle used in the production, sale or delivery of milk, any offal, soil, oil, garbage or other offensive material; nor shall any person return or permit to be returned any milk can or bottle which is in an unclean or offensive condition.

Section 45.

Bottles to be Returned to Owners.

It shall be unlawful for any person to throw, place or deposit, or cause or permit to be thrown, placed or deposited any milk bottle or receptacle of milk in any container used for the reception of garbage or rubbish; or to wilfully or maliciously break or destroy any such bottle or other receptacle; or to use or cause to be or permit to be used any such bottle or other receptacle for any purpose other than as a receptacle or container for milk or cream.

All bottles, containers or parts thereof, used for dispensing milk or cream or milk products shall be emptied within a reasonable period of time after being received and promptly returned to the owner thereof.

No person shall hold for sale or sell milk in a bottle bearing the name of any other person, firm, or company or corporation, which sells milk, unless said person be the duly authorized agent of said person, firm, company, or corporation.

The receipt of a cash deposit for the return of a bottle or other milk container or the payment

of such deposit shall be ^{not} considered as evidence of the sale or purchase of any milk bottle or other milk container.

No milk bottles recovered from any dumping place for ashes or refuse shall be returned to the owner or owners or shall be sold for use as milk containers until they have first been washed and sterilized.

Section 46

Shelters for Cans.

No transportation company shall be permitted to bring milk into the city of Fort Wayne, Indiana, unless it maintains at the points at which the milk is received or movement crossed facilities so constructed as to protect the milk cans from sun and weather.

Section 47.

Store of Milk in Stores.

All stores where milk or cream is sold, kept for sale, or offered for sale, shall be clean, well lighted and ventilated, and free from objectionable odors. Such stores shall have all openings screened against flies and other insects between May 15th and October 15th of each year. The shelves and all other parts of the store shall be kept free from dust and the floors shall be swept daily and scrubbed at least once a week. Dry sweeping or dusting is prohibited. Toilet facilities, properly isolated and in a sanitary condition shall be provided for the employees, and a conveniently situated washstand equipped with soap and individual towels of paper or other material, shall be provided.

Each employee or attendant in the store where milk or cream is sold or offered for sale shall wash his hands in soap and water each time after visiting the toilet. His clothing shall be clean and he shall not smoke while handling milk.

Section 48

Storage of Milk in Stores or Canteens.

All vessels which contain milk shall be protected by suitable covers, and shall be so placed that the milk will not be contaminated by the dust and dirt from the store and street or be accessible to flies.

All milk shall be kept at a temperature not above 45 degrees Fahrenheit, and shall be kept in an ice box or refrigerator in which nothing other than milk or milk products is stored.

The overflow pipe from the ice box in which milk or milk products are kept shall be ~~properly~~ not be directly connected with the drain pipe or sewer, but shall discharge into a properly trapped, sewer connected, water supplied, open sink, unless otherwise permitted by the Board of Health.

Section 49.

Ice Cream and Ice Cream Plants.

Nothing shall be sold under the name of ice cream unless it conforms to the definition of ice cream contained in this ordinance.

Ice cream shall be manufactured and handled in a sanitary manner, under such cover stories as meet with the approval of the Board of Health.

Ice cream plants and their methods of manufacturing,

shall be subject to the same ~~conditions~~ restrictions governing milk plants as to construction, sanitation, health of employes, and any other sanitary safeguards deemed necessary by the Board of Health.

Section 50

Buttermilk - Manufacture and Labeling.

All milk, cream, or skimmed milk entering into the manufacture of buttermilk shall be pasteurized, unless it can be shown that such milk, skimmed milk, or cream corresponds to Grade A - raw milk.

All buttermilk shall be sold in bottles or cans that are properly sealed and labeled with the name of the manufacturing plant, with either the day or date of manufacture, with the grade of milk from which it was manufactured and with a statement as to whether it was manufactured from a raw or pasteurized product, and whether it was artificially or naturally prepared.

Section 51

Permit necessary for vehicles, other than milk wagons Delivering Milk.

The proprietor of any vehicle, other than milk-wagons, delivering milk shall obtain a milk license and conform to the requirements of this ordinance.

Section 52

Pathogenic Bacteria.

No milk, cream or ice cream or milk products shall be sold or offered or exposed for sale, or had in possession for sale, or delivered or offered for delivery, for domestic or potable use, or for human consumption as such, which contains any pathogenic germs.

Section 53

Misbranding.

Milk or milk products shall be deemed to be misbranded within the meaning of this ordinance when the package, can, or bottle or other container containing same, or any cap, label, or tag attached thereto, shall bear any statement, design, mark or device regarding the milk or milk products so contained in such package, can, bottle, or other container, which is false, or misleading in any particular; or when any milk or milk products shall be falsely branded or labeled or false representations are made concerning same as to place where, or the breed or character of the cows from which, or the person, by whom such milk or milk products was produced, obtained, handled or supplied.

Any label, brand, or device, and any oral or written or printed representation signifying or indicating that the milk or milk products in any bottle, can, or other container upon which such representation is made, or in any dairy, milk plant, store or vehicle where such milk or milk product is sold, handled, had in possession, or delivered, or offered for delivery or for sale, has been certified approved, or recommended by any commission, organization, or official, when in fact such milk or milk products has not been so certified, approved, or recommended, shall be deemed

and shall constitute a misbranding within the meaning of this ordinance.

No person, firm or corporation shall within the limits of Fort Wayne sell or offer or expose for sale or have in possession with intent to sell any milk or milk products which is misbranded within the meaning of this ordinance or cause or procure same to be done by others.

No person, firm or corporation shall cause any milk or milk products to be misbranded within the meaning of this ordinance; and no person, firm or corporation shall alter, deface, erase or remove any label, cap, mark, tag, or brand provided for by this ordinance or cause or procure same to be done by others.

Section 54

Violations

It shall be the duty of the Board of Health and it shall have the power to adopt uniform rules and regulations for the purpose of effectuating this ordinance and to impose as said Board by this Ordinance and duties imposed on said Board by this Ordinance.

Said Board shall from time to time have such rules and regulations together with this Ordinance, or on separate sheets printed and shall at all times keep on hand a sufficient number of copies thereof to supply anyone desiring same with a copy.

Section 55

Penalty

This ordinance shall be construed as having been enacted under the Police Powers of Fort Wayne. The various provisions of this ordinance shall not be construed as interdependent.

Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and under conviction thereof shall be fined not less than ten (\$10.00) Dollars nor more than One hundred (\$100.00) Dollars.

Section 56

Repeal

General Ordinance No. 337, as amended August 27th, 1907 and General Ordinance No. 985 and all other ordinances and parts of ordinances in conflict with this Ordinance, insofar as they so conflict, are hereby repealed.

Section 57

Enactment

This ordinance shall be in full force and effect on and after its passage and approval by the Mayor and legal publication.

Frank B. Schwartz
Erwin C. Zerkel
Fred Roemer

Done at the Council Chamber in the City of Fort Wayne
this 20th day of June, 1908.

we hereby Certify, that the Common Council of
the City of Fort Wayne, Indiana, at a special meeting
held on the 20th day of June 1922. by a majority vote
of all the members elect, did pass the ordinance herewith
attached and known as General Ordinance No. 1092.

Frank A. Schramm.
President

Chas W. Koenig
City Clerk

Presented to the Mayor for approval on the 23rd day of
June 1922.

Chas W. Koenig
City Clerk

Approved this 30th day of June 1922.

Wm. J. Long
Mayor.

General Ordinance No 1093

An ordinance fixing the salary of the Market Master as amended June 27, 1922.

Section 1

Be it ordained by the Common Council of the City of Fort Wayne, that the salary of the Market Master on and after the 17th day of June, 1922, be and the same is hereby fixed at the rate of one hundred dollars (\$100.00) per month.

Section 2

That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Frank A. Schramm.

Done at the Council Chamber in the City of Fort Wayne this 27th day of June 1922.

We hereby certify, that the Common Council of the City of Fort Wayne, Indiana, at a regular meeting held on the 27th day of June, 1922, by a majority vote of all the members present, did pass the ordinance herein attached and known as General Ordinance No. 1093.

Frank A. Schramm.
President.

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 6th day of July 1922.

Otto W. Koenig
City Clerk.

Approved this 10th day of July 1922.
Wm. H. Hovey
Mayor.

General Ordinance No. 1094

An ordinance to amend section 1 of General Ordinance
No 1044 passed September 13. 1921.

Section 1

Be it ordained by the Common Council of the
City of Fort Wayne, that section 1 of said ordinance
be amended to read as follows:

"Section 1. Be it ordained by the common council
of the City of Fort Wayne, Indiana, that it shall be un-
lawful for any person, firm or corporation to erect or
place, or cause, or permit to be erected or placed, or
operate within the corporate limits of the City of
Fort Wayne, or within one mile of said corporate
limits, any starch factories, glue factories, sawdust
rendering plants, bone factories, soap factories, tanneries,
hide houses, stock yards and dye factories without
first obtaining a permit therefor from the Board of
Health of the City of Fort Wayne, Indiana, and paying
the license fee therefor of ten (\$10.00) per year or for any
part of a year. All applications for such permits shall
be made on forms prescribed by said Board of Health.
All such permits shall be issued for one year and shall
expire on December 31 of each year."

Section 2

That this ordinance be in full force and take
effect on and after its passage and approval by the
Mayor and legal publication.

W. C. Burns.

Done at the Council Chamber in the City of Fort
Wayne, this 27th day of June 1922.

We hereby certify, that the Common Council of the City
of Fort Wayne, Indiana, at a regular meeting held
on the 27th day of June 1922, by a majority vote
of all the members elect, did pass the ordinance
hereto attached, and known as General Ordinance No. 1094.

Frank A. Schramm,
President.

Otto W. Koenig,
City Clerk

Consented to the Mayor for approval on the 16th day of
July 1922.

Otto W. Koenig,
City Clerk

Approved this 10th day of July 1922.

W. J. Hoseney,
Mayor.

General Ordinance No. 1095

An ordinance amending section 1 of General Ordinance No. 680 passed by the Common Council January 26, 1915.

Section 1.

Be it ordained by the Common Council of the City of Fort Wayne, that Section 1 of said ordinance be and the same is hereby amended to read as follows:

"Section 1. Be it ordained by the Common Council of the City of Fort Wayne that section two of General Ordinance No. 344 of said city as amended by General Ordinance No. 551 of said city, be and the same is hereby amended to read as follows: Section 2. No person, firm or corporation shall conduct a slaughter house in the City of Fort Wayne, or sell or offer for sale, dispose of, exchange, barter or give away, or with intent to do, have in his or their possession, care, custody or control any flesh of any animal intended for human food without first obtaining a license to do so. Any person, firm, company or corporation desiring to obtain such license shall first file with the Board of Public Health, a verified written application in such form as may be prescribed by such Board of Public Health, showing that such person, firm, company or corporation is prepared to conduct a slaughter house or to handle meats according to, and in the manner prescribed in this ordinance. If such application shall show that such applicant is prepared to conduct a slaughter house or to handle meats according to, and in the manner prescribed in this ordinance, and if such place of business at which the applicant intends to conduct a slaughter house or handle meats is of the kind described in this ordinance, the Board of Public Health shall grant such application and it shall be the duty of the City Comptroller to issue a license upon the receipt properly of such application properly signed and approved by said Board of Public Health, and upon the payment of the license fee in this section provided. The following licenses shall be paid by the respective applicants:

For conducting a slaughter house a license fee of one hundred dollars (\$100.00) per annum, not with- standing the provisions of General Ordinance No. 1001 passed January 25, 1921 as amended by General Ordinance No. 1544, passed September 13, 1924.

For selling meat a whole sale a license fee of twenty five dollars (\$25.00) per annum.

For selling meat a retail at each designated place a license fee of five dollars (\$5.00) per annum.

For selling meat from a wagon or other vehicle from each wagon or vehicle a license fee of five dollars (\$5.00) per annum.

For conducting a fish market, a license fee of five dollars (\$5.00) per annum.

For selling meat from a wagon or other vehicle from each wagon or vehicle a license fee of five dollars (\$5.00) per annum.

Provided, if a license shall be obtained to conduct a slaughter house the applicant shall have the power or authority to sell meat at wholesale without paying the additional license as above required for selling meat at wholesale.

All licenses shall be issued from the date of application for a period of one year and no license shall be granted for a shorter period of time.

All licenses issued under the provisions of this ordinance shall be conditioned that the applicant or licensee shall comply with this ordinance and its amendments things now in force or to hereafter be enacted, and the mayor shall have, and is hereby given the power to revoke, in the manner provided by law, any license issued under this ordinance when such licensee shall wilfully violate any of the terms or conditions of his license or shall wilfully do, authorize or permit to be done, any act in violation of the laws of the state or of this ordinance or any other ordinance relating to the sale of meats and fish.

Any one violating or failing to comply with the provisions of this section shall be fined in any sum not exceeding one hundred dollars (\$100.00)

Section 2

That this ordinance be in full force and take effect on and after its passage, approval by the mayor and legal publication.

M. G. Burns.

Done at the Council Chamber in the City of Fort Wayne this 27th day of June 1922.

We hereby certify: That the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, held on the 27th day of June, 1922, by a majority vote of all the members present, did pass the ordinance hereunto attached, and known as General Ordinance No. 1095.

Frank W. Schramm
President

Otto W. Koenig
City Clerk

Presented to the Mayor for approval on the 6th day of July 1922.

Otto W. Koenig
City Clerk

Approved this 13th day of July 1922.

W. J. Horney
Mayor

General Ordinance No. 1096

An ordinance approving a contract between the Indiana Service Corporation and the city of Fort Wayne, by and through its Board of Public Works for the extension of its service on Columbia Avenue from Anthony Boulevard to Kensington Street.

Whereas heretofore on the 13th day of June 1922 the City of Fort Wayne by and through its Board of Public Works entered into a contract with the Indiana Service Corporation for the construction of a double track railway system on Columbia Ave from Anthony Boulevard to Kensington Avenue, which contract is in the following words:

Columbia Avenue.

This agreement, made and entered into this 13th day of June, 1922, by and between the City of Fort Wayne, Indiana, hereinafter called "the City," by and thru its Board of Public Works, party of the first part, and Indiana Service Corporation a corporation organized and existing under the laws of the State of Indiana, hereinafter called the corporation, party of the second part; Witnesseth that:

Whereas the corporation is now owner of and operating a line of street railroad under the laws of Indiana on Columbia Avenue from Harrison Street to Crescent Avenue and is now about to construct a double track street railway from Crescent Avenue to Anthony Boulevard under and by virtue of ordinances adopted by the Common Council of said City, and,

Whereas, for the benefit and improvement of the street railway service in said city on said street as extended eastward from said Anthony Boulevard and the territory adjacent thereto it is expedient and necessary that a double track street railway service be constructed, maintained and operated on said Columbia Avenue from Anthony Boulevard to Kensington Boulevard.

Now, therefore, the said City, by and thru its Board of Public Works, under and by virtue of the powers of law conferred on it, does hereby, subject to the conditions hereinafter expressed, authorize and empower said Indiana Service Corporation, its successors and assigns, from and after the approval and ratification of this contract, by an Ordinance of the Common Council of said City, to construct, use, maintain and operate a standard double track street railway system, together with all necessary poles, wires, feed wires, guy wires, guy stubs, anchors, curves and other fixtures and appurtenances appertaining thereto, over and along Columbia Avenue, in the City of Fort Wayne, Allen County, Indiana, from Anthony Boulevard, and there connecting with its present franchise and new line and system eastwardly to Kensington Boulevard.

It is understood and agreed that the consent, permission and authority hereby given and granted

are upon the following terms and conditions and the said corporation hereby expressly covenants and agrees for itself, its successors and assigns, to carry out and perform said conditions, to wit: -

1. Said corporation shall lay tracks and complete the work provided for herein on said portion of said Columbia Avenue and have the same completed by December 31st, 1922, but no part of the construction thereof shall be commenced before the June 1st, 1922. provided, however, that said portion of the said Avenue shall be opened, widened and extended as may be necessary in the opinion of the Board of Public Works for the laying of said proposed street railway, the distance between the curbs to be not less than ~~30~~ thirty-three feet, all of said tracks and curves shall be laid under the supervision of and on the lines designated by and to the approval of said the City Engineer of said City.

2. The construction of said lines of street railway on said portion of said Avenue shall be carried on so that at least one cross street shall be open at all times for vehicular traffic.

3. The said Corporation agrees to pave, or cause to be paved, the part of said portion of said Avenue between the rails of said tracks and for a space of twelve inches on the outside of said rails, with vitrified paving brick on a concrete foundation, in all things, under and in accordance with specifications to be approved by the Board of Public Works of said City, and to the approval of and to be acceptable to said Board, in all cases, when and as the balance of said portion of said Avenue is paved, and thereafter to maintain and repair said portion of said street pavement in the manner and at such time as the said Board may require; and said corporation further agrees to repave said portion of said Avenue when and as often as the remaining portions of said Avenue are paved by said City, all such paving to be done in all things, under and in accordance with specifications, both as to material and in manner provided by said Board. Provided, however, that said Corporation shall not be required to pave or maintain said portion of said Avenue with any more expensive material than the remaining portions of are or may hereafter be paved with. The said Corporation further agrees that until the remainder of said Avenue is paved by said City, it will fill in and keep filled the space between the outer rails and for twelve inches on the outside of said outer rails with gravel, or sand to the approval of the Board of Public Works, to conform to the grade of said Avenue as now or hereafter established by the City.

Engineer, and in such manner as in no way to be an impediment to the ordinary and proper use of such streets by the public in passing along, upon and across said track.

4. Said Corporation shall forever indemnify and save harmless the City of Fort Wayne against and from any and all legal damages, judgment, decree, cost and expenses of the same, which it may suffer and which may be recovered or obtained against it by reason of the growing out of or resulting from the passage of its ordinance or any matter or thing connected herewith, or by the exercise of the Corporation, its servants or agents of the rights and privileges granted by this ordinance.

5. Until the happening of the contingency set forth in Section 6 hereof, the said Corporation in the enjoyment of its rights hereunder shall in all things be governed and controlled by all the limitations, conditions, agreements, stipulations and requirements of and have the same rights, privileges and duties as are contained in an ordinance of the City of Fort Wayne granting a franchise to the Fort Wayne Traction Company September 2nd, 1902, and all rights hereunder shall terminate at the date specified in said ordinance except as modified by the laws of the State of Indiana, and all laws amendatory thereof and supplemental thereto and all rights thereunder, and the said limitations, agreements, conditions, stipulations and requirements of said ordinance, except as to such modifications, shall be kept and performed by said Corporation, its successors and assigns.

6. If an act of the General Assembly of the State of Indiana, known as the Public Utility Commission Act, passed at its Session of 1913 and contained in the Acts of the General Assembly of Indiana for the year of 1913 on Page 167, should be repealed or annulled either by such General Assembly or by court action, the Corporation in the enjoyment of its rights hereunder shall in all things be governed and controlled by all the conditions, agreements, stipulations and requirements of, and have the same rights and privileges and duties as are contained in an ordinance passed by the City of Fort Wayne, September 2, 1902, except as to rate to be charged for its service and except as to time of expiration of grant and as to the part of the system herein provided for the rate or rates for service shall at all times be the same as the rate or rates charged for the service on the remaining portion of its system generally and the said agreements, stipulations and requirements of said ordinance except as to rate and expiration of grant as above provided, shall be kept and performed by said Corporation, its successors and assigns.

In Witness Whereof said parties have hereunto set their hands and seals the date and year first above written.

Indiana Service Corporation
by Robert W. Fennell
its President.

City of Fort Wayne.
by John B. Kish
Jesse Brosius
Otto Burg

Its Board of Public Works.

The Board of Park Commissioners of the City of Fort Wayne, Indiana, hereby consents to the grant of the foregoing franchise for street railway on Columbus Avenue over such part thereof as is under the control of said Board of Park Commissioners.

Board of Park Commissioners, of
the City of Fort Wayne.

Section 1

Be it Ordained by the common council of the City of Fort Wayne that the contract heretofore entered into by and between the City of Fort Wayne by and through its Board of Public Works and the Indiana Service Corporation providing for the construction of a double track street railway system on Columbus Avenue from Anthony Boulevard to Kensington Avenue, as fully set forth in the preamble hereto, be and the same is hereby in all things ratified and approved.

Section 2

That this ordinance be in full force and take effect on and after its passage and approval by the Mayor.

Alvin J. Bullman

Done at the Council Chamber in the City of Fort Wayne this 18th day of July 1922.

We hereby certify, that the common council of the City of Fort Wayne, Indiana, at a special meeting, held on the 18th day of July 1922, by a majority vote of all the members elect, did pass the ordinance heretofore attached and known as General Ordinance No. 1096.

Frank A. Schramm
President

Otto W. Koenig
City Clerk.

Presented to the Mayor for approval on the 24th day of July 1922.

Otto W. Koenig
City Clerk

Approved this 31st day of July 1922.

Wm. J. Hoxey
Mayor.

